




Region 2

You are here: [EPA Home](#) > [Region 2 Waste](#) > [NY RCRA Cleanup Fact Sheet](#) > CECOS International Incorporated

CECOS International Incorporated

Other (Former) Names of site: Niagara Recycling

EPA Identification Number:	NYD080336241
Facility Location:	5600 Niagara Falls Boulevard, Niagara Falls, New York 
Facility Contact:	Sandy DiSalvo, (716) 282-2676, x. 204
EPA Contact:	Ellen Stein, (212) 637-4114, stein.ellen@epa.gov
New Jersey Department of Environmental Protection (NJDEP) Case Manager:	Nelson Schnabel, (716) 851-7220, nfschnab@gw.dec.state.ny.us Kent Johnson (518) 457-8594, Kdjohnso@gw.dec.state.ny.us
Last Updated:	April 2010
Environmental Indicator Status:	Human Exposures Under Control [PDF 1.45 MB, 6 pp] has been verified. Groundwater Contamination Under Control [PDF 1.51 MB, 8 pp] has been verified.

Site Description

CECOS International, Inc. is located on a 385-acre tract in an industrial-commercial area of Niagara County. The majority of the site is in the town of Niagara; however, a portion of the site is in Niagara Falls. The facility contains a variety of waste operations, including an operating sanitary landfill, 10 closed landfills, a wastewater treatment facility and a container storage facility. The site was first used for waste disposal in 1897 and has been used for hazardous waste treatment storage and disposal since 1977.

Site Responsibility and Legal Instrument

6 NYCRR part 373 operating and post-closure permit issued by New York State Department of Environmental Conservation (NYSDEC).

Potential Threats and Contaminants

As required by New York State Department of Environmental Conservation 6 NYCRR part 373-2 and United States Environmental Protection Agency Hazardous and Solid Waste Amendments of 1984 permits, CECOS has investigated 47 Solid Waste Management Units (SWMU's) and site-wide Areas of Concern (AOC) at the CECOS facility. Based upon the investigations, it was determined that hazardous waste constituents had been released to the fill/soil and groundwater beneath the facility. A Resource Conservation and Recovery Act (RCRA) Facility Investigation (RFI) has been conducted and a final corrective action of groundwater recovery was approved in February 1995.

The most significant area of contamination attributable to CECOS's operations is located in the central area of the facility. Evaluation of possible sources indicated that the former Phase I Wastewater Treatment Impoundments were the principle source of the contamination. Other inactive sources in the central area have also released hazardous waste constituents to the groundwater. None of the observed contamination has been attributed to CECOS's five hazardous waste landfills that were formerly operated at the site.

CECOS implemented interim corrective measures at locations where significant soil or groundwater contamination were found. The purpose of the interim measures has been to minimize the spread of the contamination and, ultimately, to improve groundwater quality in the affected areas.

The most significant source of groundwater contamination in the area of the facility is the adjacent 24-acre unlined dump site known as NECCO (Niagara Electrochemical Company) Park. This dump site, which is being addressed by EPA's Superfund program, is located adjacent to the southwest quadrant of the CECOS facility and is bordered on three sides by CECOS.

NECCO Park is owned and operated by E.I. DuPont de Nemours and Company, Inc. and was previously used for the disposal of thousands of tons of industrial and hazardous wastes. Studies of the NECCO Park site indicate that the vast majority of the contamination that has been found in the vicinity of CECOS is attributable to releases from the NECCO Park dump site. DuPont has voluntarily implemented an interim groundwater remedial program to partially mitigate the environmental impacts associated with NECCO Park. Additional remedial activities are planned for the facility.

Cleanup Approach and Progress

Because of the long-term potential for off-site migration, the contaminated groundwater is the principle threat to human health and the environment at the CECOS facility. The remedy focuses on the recovery of contaminated groundwater in the central area of the

CECOS facility, maintenance of existing infiltration controls (caps and pavement) and the monitoring of the groundwater from generating off-site. The cleanup objectives are to prevent human exposure to contaminated groundwater and soils by treating and/or containing contaminants, to reduce the migration of contaminants from soil to groundwater, and to reduce the migration of contaminants through the groundwater.

It should also be noted that ongoing development of sanitary landfill cells at this site is essentially a "brownfields" re-use of areas of the site. This re-use also serves to place cover (both bottom and top liners) that stops surface water infiltration and thus serves to reduce the volume of contaminated groundwater that is generated. This, in turn, reduces the overall threat of contaminated groundwater leaving the site.

With the implementation of the interim measures, contaminated soils have been excavated and the Phase I impoundments were closed, graded and capped. Since 1991 CECOS has recovered and treated more than 65 million gallons of groundwater as part of the corrective action. Total concentrations of contaminants within the plume of groundwater have been greatly reduced.

Final Cleanup Status or Projection

- Final Remedy Construction (RCRAInfo database code CA550) has been achieved.

Permit Status

The facility currently has a 6 NYCRR part 373 operating and post-closure permit. This RCRA permit was issued to CECOS with the effective date November 4, 2009 and the expiration date November 2014. The 47-day public comment period ended on November 2, 2009 and no comments were received as of that date.

The RCRA permit for CECOS will allow it to continue existing monitoring and maintenance of closed hazardous waste units, and to continue final corrective action remedies which address site-wide soil and groundwater contamination at the facility. The permit renewal addresses the continuing implementation of corrective action associated with past waste management activities such as:

- Post -closure maintenance of closed hazardous waste landfills;
- Continued implementation of the final corrective action remedies for site-wide contamination; and
- Perpetual care for closed hazardous waste landfills and corrective action systems.

Site Repository

Copies of supporting technical documents and correspondence cited in this fact sheet are available for public review at:

New York State Department of Environmental Conservation - Region 9
270 Michigan Avenue
Buffalo, NY 14203
(716) 851-7220

The New York State Department of Environmental Conservation (NYSDEC) makes its public records available for a review under the Freedom of Information Law (FOIL).

Cecos File

8-18-78

SLF #2 3yrs Approval

10-11-79

SLF #2 Increase height 4'

EPA review of 9-10-79 response
by CECOS to NOD on SLF #3

3-7-80

SLF #3 3yrs. Approval.

5-12-80

SLF #3 Flammable/Highly Flammable cells.

7-23-80

SLF #3 Monitoring well change - ^{sludges}

Operational Plan requirements.

1-29-81

SLF #2 + #3 - ~~Manual pumping~~ ^{sludges} of leachate/water

2-4-81

SLF #3 capacity + cap design.

6-19-81

SLF #2 + #3 Cap design + manual pumping

12-21-81

SCMF #4 Approval. monitoring

5-10-82

SCMF #2 + #3 modification of pump

levels permanent, manual pumping on 3

until capped.

12-14-84

Fact Sheet SCMF #5 for RA.

2-22-85

Free hand notes.

Approval SCMF #5

FEB 22 1985

Mr. Peter M. Tarnawskyj
Regional General Manager
Environmental Health and Safety Department
Cecos International, Inc.
2321 Kenmore Avenue
Buffalo, New York 14207

Dear Mr. Tarnawskyj:

This letter responds to the application submitted by Cecos International, Inc. (Cecos) requesting approval by the Regional Administrator of the United States Environmental Protection Agency (EPA) Region II for the operation of a landfill to be utilized for the disposal of polychlorinated biphenyls (PCBs) at Cecos' Niagara Falls, New York facility. While we have granted the requested approval, the Agency anticipates strict compliance with the regulations and conditions of the approval, which are outlined in greater detail below. The Region intends to enforce fully the conditions of the approval.

This approval for disposal of PCBs in SCMF No. 5 imposes upon Cecos the responsibility to comply with all applicable Federal, State and local regulations. While this approval is issued on the basis of Cecos' compliance with 40 CFR 761.75, I must emphasize that any violations of 40 CFR 761 or of the conditions of this approval may result in an administrative enforcement action seeking the maximum statutory penalties. In addition, you are advised that this approval may be revoked, modified or otherwise altered, at any time when EPA finds evidence that a violation of the conditions of this approval letter, 40 CFR 761, or other applicable rules and regulations has occurred. For appropriate violations of 40 CFR Part 761 or for noncompliance with conditions of the approval, the Agency will consider revocation or a temporary suspension of this approval in addition to monetary penalties.

Furthermore, receipt of evidence that a misrepresentation of any material fact has been made in the Cecos application, or that relevant facts have not been disclosed, shall constitute sufficient cause for revocation or modification of this approval.

EPA Region II grants the requested approval, based upon the findings and subject to the limitations enumerated below. The approval is effective on the date of this letter. This new landfill will be in addition to the landfills located at Cecos'

Niagara Falls, New York facility already approved for PCB disposal by EPA Region II (letters of August 18, 1978, March 7, 1980 and December 21, 1981).

Regulations governing the disposal and marking of PCBs were promulgated by EPA pursuant to Section 6(e)(1) of the Toxic Substances Control Act (TSCA), 15 U.S.C. Section 2605(e)(1). These regulations are codified as Part 761 of Title 40 of the Code of Federal Regulations (40 CFR §761.1, et seq.). They provide that disposal of PCBs is permitted only at facilities approved by EPA.

Cecos requested, by its initial application submittal of July 20, 1980, that Secure Chemical Management Facility (SCMF) No. 5 at its Packard Road/Pine Avenue site, Niagara Falls, New York, be approved as a PCB disposal site. Additional documents in support of the subject application have been submitted to EPA Region II by Cecos with correspondence dated May 29, 1981, February 15, 1984, May 22, 1984, June 5, 1984, August 1, 1984, October 18, 1984, October 23, 1984 and October 24, 1984.

A public comment period was provided on the Cecos application from August 21, 1984 to September 21, 1984. No comments were received.

After review of the submitted application and supporting documents, I have determined that SCMF No. 5 merits approval. This approval is based upon my evaluation that the landfill meets all of the requirements of 40 CFR §761.75 (Chemical Waste Landfills) with the following exceptions:

- A. The landfill is not located at least 50 feet higher than the nearest groundwater elevation, and its orientation to the highest groundwater table is not in strict compliance with the requirements of 40 CFR §761.75(b)(3). However, the landfill is designed to collect internal leachate via collection sumps, and is equipped with a low permeability liner composed of clay and high density polyethylene. It is my assessment, based on the information submitted by Cecos, that this design should prevent leachate migration.
- B. This landfill has a Flammable Cell for disposal of wastes that have flashpoints between 80°F and 140°F. This is not in accordance with the requirements of 40 CFR §761.75(b)(8)(iii). I have determined that this deviation from the requirements of the regulation is justified, based upon the following:

1. The Flammable Cell is separated from adjacent cells by a six-foot wide clay berm.
2. The Flammable Cell contains its own leachate collection system and, consequently, is not hydraulically connected to the other landfill

3. The Flammable Cell is located downwind of the prevailing winds on the landfill site, thus reducing the possibility of a fire spreading to other areas of the landfill in the event of such an occurrence.

I have determined that the above-cited waivers will not present an unreasonable risk of injury to health or the environment from PCBs.

This approval of Cecos' SCMF No. 5 for PCB disposal is granted subject to the conditions in the appendix to this letter, and consistent with materials and data in Cecos' application and support documents.

Sincerely,

Christopher J. Daggett

Christopher J. Daggett
Regional Administrator

Enclosure

cc: Henry C. Williams
Commissioner, NYSDEC w/encl.

bcc: Mr. Norman H. Nosenchuck, P.E.
Director, Division of Solid and Hazardous Waste
NYSDEC w/encl.

Edward Belmore, P.E.
NYSDEC, Region 9 w/encl.

Frank Grabar,
NYSDEC, Region 9 w/encl.

D. Kraft, 2ES-PTS w/encl.

J. Frogard, 2AWM-SW w/encl.
R. Testa, 2PM-PA w/encl.

APPENDIX

I. Cecos' SCMF No. 5 PCB Approval Conditions

A. PCBs which are authorized for disposal in SCMF No. 5's Toxic Cell (Subcell No. 1) are limited to the following:

1. Liquids containing a PCB concentration of 50 parts per million (ppm), or greater, but less than 500 ppm¹
2. PCB contaminated absorbent materials from spill cleanup
3. PCB contaminated soil
4. PCB contaminated rags
5. PCB contaminated construction, demolition and grubbing debris.
6. Dredged material from water courses
7. Municipal treatment sludges
8. PCB articles:
 - i) PCB transformers drained and flushed as designated in 40 CFR §761.60(b)(1)(i)(B)
 - ii) PCB capacitors containing PCBs at a concentration of 50 ppm or greater, but less than 500 ppm
 - iii) Other PCB articles within a PCB concentration of 500 ppm or greater drained as designated in 40 CFR §761.60(b)(5)(i)(B)
 - iv) Other drained PCB articles which under 40 CFR §761.60(b) may be disposed as municipal solid waste
9. PCB containers drained as designated in 40 CFR §761.60(c)
10. PCBs which are not identified in above items 1-9, containing a PCB concentration of 50 ppm or greater, but less than 500 ppm.¹

¹

PCB concentration determination is made prior to any dilution, pre-treatment and/or stabilization

B. The following shall be appended to Cecos' Operations Report:

1. PCB disposal as authorized by this approval shall be confined to SCMF No. 5's Toxic Cell.
2. Materials which exhibit flashpoints less than 140°F may only be disposed of in the Flammable Cell (Subcell No. 4).
3. No vehicles will enter the Toxic Cell. The only exception will be necessary landfill equipment in the Toxic Cell and trucks bringing in bulk materials for disposal in the Toxic Cell. All vehicles/equipment leaving the Toxic Cell which have not directly been in contact with PCBs will be directed to designated wash areas for external rinsing. All vehicles/equipment in direct contact with PCBs will be decontaminated as directed in 40 CFR §761.79(b) for movable equipment used in storage prior to leaving the Cell. Following decontamination as directed in 40 CFR §761.79(b), the vehicles/equipment will be directed to designated wash areas for external rinsing.
4. Prior to accepting PCBs identified under Condition A(1) and A(10) for disposal, the following procedures shall be followed:
 - a. Batch testing must be performed on representative samples (obtained utilizing the procedures designated in SW-846¹, Section 1) of the contents of each transport vehicle to determine the PCB concentration. No dilution, pretreatment and/or stabilization shall have been performed on these PCBs prior to this testing.

PCB analyses may only be performed by laboratories which comply with a quality assurance program approved by EPA Region II. Verification of this fact must accompany each analysis for the results to be considered valid.

¹ Test Methods for Evaluating Solid Waste/Physical/Chemical Methods, July 1982, SW-846, 2nd Edition.

5. Prior to disposing of PCBs identified under Conditions A(1), A(6), A(7) and A(10) the following procedures will be followed:

- a. Representative samples (obtained utilizing the procedures designated in SW-846¹, Section 1) of the contents of each transport vehicle shall be obtained. This sample shall be stabilized and/or pretreated with highly sorbent biologically-resistant material, so that, when subjected to the structural integrity test designated in (1) below, it meets the performance criteria designated in (11) below:

1. Structural Integrity Test:

1. Equipment: Compaction tester having 1.25" diameter hammer, weight 0.73 lbs. and having a free fall of 6". One suitable device is available from the Associate Design and Manufacturing Company, Alexandria, Virginia, as Part No. 125.

2. Procedures:
 - a. Obtain a representative sample (minimum 100 grams) of the waste to be tested utilizing the procedures designated in SW-846¹, Section 1.
 - b. Fill the sample holder with the pre-weighed representative sample. If the sample is a monolithic block, then cut out a representative sample from the block.
 - c. Place the sample holder into the compaction tester, then raise the hammer to its maximum height and drop it. This step should be repeated 15 times.
 - d. Remove the now-compacted sample from the tester and separate it into component phases utilizing the methods designated in SW-846¹ Method 1310, Section 7.15. Weigh the solid portion and compare to original sample weight.

¹

Test Methods for Evaluating Solid Waste/Physical/Chemical Methods, July 1982, SW-846, 2nd Edition.

11. Performance Criteria for Sample:

1. The sample must display a noticeable reduction in unit volume while remaining consolidated.
 2. The sample must contain five percent or less free liquid (as measured by comparing the weight of the liquid to the weight of the total sample).
- b. The same procedures developed for stabilization and/or pretreatment of the representative samples in Condition B(5)(a) shall be applied to the contents of each transport vehicle for disposal.
6. Cecos' on-site laboratory facility shall maintain a monthly record, listing by contents of individual transport vehicles, the data designated below for PCBs identified under Conditions A(1), A(6), A(7) and A(10), excepting Condition B(6)(c) for A(6) and A(7). This data shall be submitted to EPA Region II on a monthly basis.
- a. The quantity of material prior to stabilization or pretreatment.
 - b. The quantity of material disposed without prior stabilization or pretreatment.
 - c. The PCB concentration obtained utilizing the procedures designated in Condition B(4)(a) including the date of the analysis and the laboratory conducting the test.
 - d. The method of stabilization and/or pretreatment determined utilizing the procedures designated in Condition B(5).
 - e. The results of the structural integrity test performed utilizing the procedures designated in Condition B(5) and an indication of the laboratory conducting the test.
 - f. The quantity of stabilized and/or pretreated material disposed, the three dimensional grid location and the disposal date.

7. Maximum leachate levels as monitored in the standpipes shall not exceed a depth of one foot directly above the lowest elevation of the top of the clay soils cover, overlying the high density polyethylene (HDPE) membrane liner of the area being drained in the Toxic Cell.
8. In the event the maximum leachate level designated in Condition B(7) is exceeded, Cecos shall provide EPA Region II's PCB Disposal Coordinator, notification by telephone at (212) 264-0504/0505, no later than the close of business on the next regular business day. Cecos shall implement measures to bring the leachate levels into compliance within a five day period. Cecos shall also submit a report to EPA Region II within 30 days of each occurrence stating why the maximum leachate level was exceeded and the measures implemented to bring the leachate level into compliance.
9. Standpipes are to be covered at all times during site operation (except when such activities as pumping, taking level reading, or performing maintenance require otherwise) and after closure.
10. One operable submersible leachate pump shall be provided for the Toxic Cell and one additional operable leachate pump shall be provided for the central sump and the leachate tank. These pumps shall be stored in a place of ready access at all times so as to be readily available for the purpose of replacing the leachate pump in the central sump or leachate tank, should failure occur and for installation in the standpipe in the Toxic Cell in the event that circumstances other than pump failure result in failure of the leachate collection and withdrawal system. Leachate pumps shall be installed within 48 hours of such failure. Leachate pumps shall be fitted with power failure and high leachate level indicator alarms centrally located at a place of continual, if not continuous attendance.
11. Any ponded water within the landfill, must be treated as leachate and shall be removed within 24 hours.
12. No waste or antagonistic waste mixture shall be placed or produced in SCMF No. 5 which are known to possess the chemical or physical-chemical ability to penetrate the compacted clay and synthetic membrane liners.
13. Special attention shall be given to maintaining the integrity of exposed clay soils that ultimately form the floor and sidewalls of SCMF No. 5. Maintenance of the clay soils shall include, but not be limited to, remedial work necessary to eliminate dessication cracks, minimizing weathering of this clay soil surface, and necessary protection in trafficked areas in the interim period before it is covered with waste.

- C. A report for Cecos' SCMF No. 5 containing the results of monthly analyses of samples obtained from Conditions C(4), (5) and (6) below must be submitted to EPA Region II on a monthly basis. A similar report for Conditions C(1), (2) and (3) below must be submitted every two months. The items referenced above are:

1. Top of Clay Monitoring Well Nos. SW-TOC, NW-TOC and NE-TOC.
2. Top of Rock Monitoring Well Nos. SW-2 (TOR), NW-2 (TOR), SE-1B (TOR) and NE-TOR.
3. Bedrock Monitoring Well Nos. SW-1, NW-1B, NE-1 and SE-2
4. Surface water from the perimeter drainage channels on the north, south, east and west side of SCMF No. 5.
5. Internal leachate from standpipe in the Toxic Cell
6. Internal leachate from standpipes in the Heavy Metals Cell, General Cell, and the Flammable Cell (composited).

The above listed samples shall be analyzed for at least the following parameters:

- (a) PCBs
- (b) pH
- (c) Specific conductance
- (d) Volatile chlorinated organics

The height of the internal leachate shall be recorded from the standpipe in the Toxic Cell daily, and from the remaining cells referenced above at the time of the sampling referenced above. This recorded height of internal leachate data must be submitted with the above referenced monthly report. The water elevations in the above designated monitoring wells shall be recorded at the time of the sampling referenced above and submitted to EPA Region II with the corresponding results of analyses. In all cases, the sampling and analytical procedures utilized must be specified. The submittal of these reports (and all other written reports required by this letter) shall be made to:

United States Environmental Protection Agency
Region II
26 Federal Plaza, Room 432
New York, New York 10278

ATTN: Permits Administration Branch

The first samples for analyses shall be collected prior to disposal of PCBs in SCMF No. 5. The first submittal shall be accompanied by the manual of sampling, analytical and quality assurance procedures used in the sampling and analyses for the above designated sampling points and parameters for Condition B(4)(a) and for Condition I.

D. Upon closure of SCMF No. 5, the requirements of Condition C will be amended by the following:

1. During the first year after closure of SCMF No. 5, reports for SCMF No. 5 must be submitted to EPA Region II containing the results of analyses of samples obtained on an every other month basis for sampling points under Conditions C(1), (2) and (3) for pH, specific conductance and volatile chlorinated organics, and on a semiannual basis from sampling points under Conditions C(1), (2) and (3) for PCBs and from sampling points under Conditions C(4), (5) and (6) for all four listed parameters.
 2. From years 2 through 6 after closure of SCMF No. 5 reports for SCMF No. 5 must be submitted to EPA Region II containing the results of analyses of samples obtained on a quarterly basis from sampling points under Conditions C(1), (2), (3) for pH, specific conductance and volatile chlorinated organics and on a semiannual basis from sampling points under Conditions C(1), (2) and (3) for PCBs and from sampling points under Conditions (4), (5) and (6) for all listed parameters.
 3. From years 7 through 30 after closure of SCMF No. 5, reports for SCMF No. 5 must be submitted to EPA Region II containing the results of analyses of samples obtained on a semi-annual basis from sampling points under Conditions C(1) (2) and (3) and on an annual basis from sampling points under Conditions C (4), (5) and (6) for all four listed parameters.
- E. Prior to disposal of PCBs in SCMF No. 5, Cecos shall submit to EPA Region II an independent registered professional engineer's written certification, including as-built drawings, that SCMF No. 5 and related appurtenances were constructed in accordance with the design specifications and operating procedures stated in its application and supporting documents.

- F. The groundwater, surfacewater and leachate monitoring and reporting requirements of Conditions C, D and I may, as required by EPA Region II, be revised upon revision of the 40 CFR Part 265 groundwater monitoring program under the Resource Conservation and Recovery Act (RCRA) currently being conducted at the Cecos site and/or upon final development and implementation of a 40 CFR Part 264 groundwater monitoring program under RCRA.
- G. Cecos shall submit to EPA Region II within ninety days of the closure of SCMF No. 5, a copy of the complete report of all waste disposed in SCMF No. 5 including a 3 dimensional grid and a concise description of each waste.
- H. Cecos shall submit to EPA Region II reports detailing the inspection and maintenance activities which were conducted at SCMF No. 5 after its closure. These reports will be compiled and submitted to EPA Region II at a minimum of six month intervals for a period of 30 years.
- I. A report shall be submitted by Cecos to EPA Region II, on a semiannual basis prior to closure of SCMF No. 5 and annually after closure of SCMF No. 5 for a period of thirty years, indicating the level of organic priority pollutants contained in the samples obtained from sampling points under Conditions C. In all cases, the sampling and analytical procedures used shall be specified.
- J. At a frequency not to exceed once per month, EPA Region II may provide Cecos with a quality assurance sample. This sample shall be analyzed for the same parameters as the monitoring well samples specified in Conditions C and I above. The results of these analyses shall be submitted by Cecos to EPA Region II within 60 days of Cecos' receipt of the sample.
- K. A report shall be submitted by Cecos to EPA Region II yearly, beginning no later than July 1985, which specifies the manner in which PCBs were handled at SCMF No. 5 during the previous calendar year. This report shall be in conformance with the requirements set forth in 40 CFR §761.180(b).
- L. On a semiannual basis during the operational life of the landfill, a copy of all reports provided to Cecos from on-site inspections, visits, drills, or recommendations from official regulatory and/or safety organizations (including but not limited to fire companies, hospital services and the U. S. Occupational Safety and Health Administration) shall be submitted by Cecos to EPA Region II.
- M. Cecos must allow any duly-designated representative of EPA to inspect SCMF No. 5 and appurtenances, and all records and testing facilities, and to take such samples as may be necessary so as to monitor and enforce EPA's PCB Marking and Disposal Regulations (40 CFR §761.1 et seq.). Any refusal to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for immediate termination of this approval.

- N. Cecos must adhere to all design specifications and operating procedures stated in its application and supporting documents. (A complete list of these documents is in II below.) Deviations from these specifications or procedures are allowed only if written authorization is provided by EPA Region II.
- O. Upon closure of SCMF No. 5, Cecos shall submit an independent registered professional engineer's written certification, including as-built drawings, that the closure construction was in accordance with the design specifications and operating procedures stated in Cecos' application and supporting documents.

II. Application and Supporting Documents for SCMF No. 5

- 1. July 20, 1980 letter from Ernest R. Gedeon, of Cecos to Charles W. Warren, EPA Regional Administrator, transmitting Cecos' application for PCB disposal authorization for SCMF No. 5, which included the following documents:
 - a. "Supplemental Draft Environmental Impact Statement for Proposed SCMF No. 4 and No. 5."
 - b. "SCMF No. 5, Volume I, Engineering Report," June 1980.
 - c. "SCMF No. 5, Volume II, Engineering Report Plan," June 1980.
 - d. "Facilities Operation Plan SCMF No. 4 and 5."
 - e. "Supplement No. 1 to Facilities Operation Plan, Subcell and Area Segregation, SCMF No. 5."
 - f. "Monitoring Maintenance and Contingency Plan SCMF No. 4 and No. 5," June 27, 1980.
 - g. "Evaluation of Impact of Acid Neutralization Waste on Clay, Cecos Acid Neutralization Ponds," June 13, 1980.
 - h. "Study on the Resistance of Synthetic Liners to the Chemicals in SCMF No. 3 Sub-Cells," July 8, 1980.
 - i. "Discussion - 80 mil HDPE Membrane with One Foot Clay Protection barrier vs. 30 mil Hypalon Membrane with Two Foot Clay Protection Barrier," August 16, 1978.
 - j. "HDPE Membrane, Technical Information and Tests Reports," August 16, 1978.
 - k. "Drainage Study - Secure Landfills No. 4 and No. 5," May 25, 1980.

2. May 29, 1981 letter from Peter M. Tarnawskyj of Cecos to Catherine Massimino, EPA transmitting the following documents relevant to PCB authorization application for SCMF No. 5:
 - a. "Revised Groundwater Monitoring Program Proposed SCMF Nos. 4 and 5 Packard Road/Pine Avenue Site," April 24, 1981.
 - b. "Supplemental Hydrogeologic Study of Packard Road/Pine Avenue Site," April 24, 1981.
 - c. "Physical and Chemical Immobilization for SCMF Disposal," May 1981.
 - d. "Monitoring, Maintenance and Contgency Plan SCMF Nos. 4 and 5," May 6, 1981.
 - e. "Errata Sheets and Transmittal Letter of May 15, 1981 from Robert A. Stadelmaier, Cecos to Messrs Spagnoli and Nosenchuck."
3. February 15, 1984 letter from Peter M. Tarnawskyj of Cecos to Catherine Massimino, EPA transmitting the following documents:
 - a. "Supplemental Engineering Report for SCMF No. 5," January 1984. (includes revised drawings Nos. 1-20)
 - b. "Facilities Operation Plan SCMF."
4. June 5, 1984 letter from Peter M. Tarnawskyj of Cecos to Jacqueline E. Schafer, Regional Administrator, EPA Region II transmitting "Supplemental Engineering Report for SCMF No. 5," May 1984.
5. August 1, 1984 letter from Peter M. Tarnawskyj of Cecos to Ernest A. Regna, EPA transmitting Attachments 1(a-f) and 2(a-g) in response to EPA's July 24, 1984 letter.
6. "Addendum II to the Site Drainage Plan for Newco Waste Systems, Inc.," April 1983.
7. October 18, 23 and 24, 1984 submittals from Peter M. Tarnawskyj of Cecos to Catherine Massimino, EPA transmitting groundwater monitoring well locations and details for SCMF No. 5.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

DEC 14 1984

File

DATE:

SUBJECT: Signature for TSCA PCB Disposal Authorization for
Cecos International, Inc., Niagara Falls, New York

FROM: Conrad Simon, Director
Air & Waste Management Division (2AWM)

TO: Christopher J. Daggett
Regional Administrator (2RA)

Attached for your signature is a Toxic Substance Control Act (TSCA) polychlorinated biphenyl (PCB) disposal authorization for Cecos International, Inc.'s Secure Chemical Management Facility (SCMF) No. 5 located in Niagara Falls, New York. The Public Notice period for this application has ended and no comments have been received. The authorization includes the disposal of PCBs in one cell of SCMF No. 5. A fact sheet is attached describing the plant's operations, SCMF No. 5's design and compliance/enforcement history for your review.

The authorization includes two waivers of the following PCB technical disposal requirements:

- A. Requirement that the location of the bottom of the landfill is at least 50 feet higher than the historical groundwater table.
- B. Requirement that no wastes with a flashpoint less than 140°F be placed in a landfill authorized for PCB disposal.

In respect to waiver A, the landfill's subliner design far exceeds the minimum PCB technical subliner requirements of in place soil thickness of 3 feet with a permeability equal or less than 1×10^{-7} centimeters/seconds (cm/sec.). The landfill's subliner system includes one synthetic liner and 11 feet minimum of soil with a permeability equal or less than 1×10^{-7} cm/sec., in addition to an automatic leachate pumping system.

In regard to waiver B, the landfill is divided into four subcells with 6-foot wide internal separation berms constructed of soils with a permeability equal or less than 1×10^{-7} cm/sec. Each subcell has its own leachate collection system not interconnected to other subcells.

The wastes with a flashpoint of less than 140°F are disposed in a separate subcell from the subcell designated for PCB disposal and is downwind of the prevailing winds on the landfill site.

Based on the above design features of the landfill, these waivers will not present an unreasonable risk to the environment from PCBs. Waiver A has been previously granted to the nine PCB landfills authorized in the Region. Waiver B has been granted on three previous occasions to commercial PCB authorized landfills in the Region.

Attachments

FACT SHEET
CECOS INTERNATIONAL, INC.
NIAGARA FALLS, NEW YORK

GENERAL

Cecos International, Inc., (Cecos) operates a 385 acre industrial waste management facility in the city of Niagara Falls, New York.

The facility has served as a waste disposal site for over 80 years. At present, hazardous, nonhazardous and PCB wastes are handled at this site. The facility is located in a heavy industrial-commercial area.

HAZARDOUS WASTE OPERATIONS AT THE SITE

1. Land Disposal

- 4 inactive landfills (Secure Chemical Management Facility (SCMF) Nos. 1-4)
- 1 active landfill (SCMF No. 5)

2. Waste Water Treatment

Total throughout capacity is 160,000 gallons per day

Phase I - Physical/Chemical Treatment
(3 tanks and 4 lagoons)

Phase II - Organics Removal System
(7 lagoons)

3. Drum Storage

Outdoor - approximately 1200

Future operations at the site projected to include:

1. thermal destruction processes
2. land disposal of immobilized, detoxified and volume reduced hazardous waste
3. additional reuse and recovery operations

Applicability of EPA Regulations

- Hazardous waste operations at the facility are regulated by RCRA under interim status regulations.
- PCB waste disposal at the facility has been authorized by EPA Region II for secure chemical management facilities (SCMF) 2, 3 and 4. PCB waste disposal authorization at the facility for SCMF No. 5 has been requested by Cecos from EPA Region II.

DESIGN OF SCMF NO. 5

Liner System in Ascending Order

- a. 10 feet minimum of soil having a maximum permeability of 1×10^{-7} centimeters/second (cm/sec)
- b. Synthetic liner
 1. 80 mil high density polyethylene liner
- c. One foot minimum of soil having a maximum permeability of 1×10^{-7} cm/sec

Leachate Collection System

- a. A one foot thick layer of porous media at the landfill's floor sloping at a minimum grade of one percent to drain leachate to the collection lines.
- b. A network of four inch diameter slotted HDPE collection pipes to convey the flow to the sump provided at each subcell.
- c. An internal basal leachate transfer system to convey leachate from all four subcells to a common pumping sump.
- d. An eight inch diameter collection header to convey the pumped leachate to the on-site tankage.
- e. Maximum leachate level allowed as monitored in the standpipe to a depth of one foot.

Landfill Subcells

- a. Divided into four individual subcells utilizing six foot wide clay interior berms having a maximum permeability of 1×10^{-7} cm/sec to protect against the interaction of incompatible wastes.
- b. Subcell I - Heavy Metals
Subcell III - General
Subcell IV - Toxics
Subcell V - Flammable
- c. Each subcell has its own, independent leachate collection and withdrawal system to maintain segregation of leachate.

Groundwater Monitoring System

- a. 3 shallow groundwater monitoring wells
- b. 4 top of bedrock groundwater monitoring wells
- c. 4 bedrock groundwater monitoring wells

COMPLIANCE AND ENFORCEMENT

- Eight EPA Region II site compliance inspections have been conducted at this site since 1978, four of which were combined RCRA-PCB inspections.

Consent Agreement and Final Compliance Orders Issued

<u>Authority</u>	<u>Date Issue</u>	<u>Type of Violation</u>	<u>Penalty</u>
TSCA	May 14, 1979	Leachate level and reporting	\$5,500
TSCA	1980-81	Disposal (capacitors without institial absorbent in drums)	\$5-6,000

Complaint and Notice of Opportunity for Hearing Issued

<u>Date Issued</u>	<u>Type of Violation</u>	<u>Proposed Penalties</u>
October 5, 1983	Authorization & Regulations a. Disposal (small PCB capacitors)	\$10,000

- Several potential violations of the PCB authorization for Cecos' SCMF No. 4 were revealed during an inspection in September 1984. These potential violations were of recordkeeping and compaction requirements.

STATUS OF RCRA PERMIT FOR CECOS

- Part B was called in on February 14, 1983
- Part B was received on August 16, 1983
- Expect to complete the review of the application and issue a draft permit and determination by September 1985.
- It will take approximately six months to hold a public hearing on the draft permit and reach a final decision on the permit.

GROUNDWATER MONITORING

- Cecos' triggered into assessment for pH November 8, 1983.

Answers to client questions - none made. For more information, please call Miriam Villani, x5344.

Re CECOS PCB Permit

Six feet is sufficient for a physical separation of two cells. In this case the flammable cell is located on the opposite end of the landfill from the toxic cell. In addition, the flammable cell is located where it is most down gradient.

I(A)(8)(iii) of the permit's appendix is consistent with 40 CFR § 761.60(b)(5)(i)(B). PCB articles within a PCB concentration of 500 ppm can go into the landfill while anything over that concentration must be drained.

Sorbent material is that which absorbs both externally and internally thereby distinguishing it from merely absorbent material.

10 MAY 1982

Mr. Peter M. Tarnawsky
 Manager, Environmental Health and
 Safety Department
 Cecos International, Inc.
 Post Office Box 619
 Niagara Falls, New York 14301

Dear Mr. Tarnawsky:

This letter ratifies the continued operation of Secure Chemical Management Facilities Nos. 2 and 3 in accordance with the conditions appended to this letter and consistent with prior modifications granted by letter dated December 31, 1980 from the Regional Administrator of the Environmental Protection Agency, Region II. The prior modifications allowed Cecos to deviate from EPA's initial approvals of August 13, 1978 and March 7, 1980 to dispose of Polychlorinated Biphenyls (PCBs). Specifically, the prior modifications allowed a departure from Section III, item 47c of the Engineering report for Secure Chemical Management Facilities (SCMF) No. 2 by permitting the placement of leachate pumps in SCMF's Nos. 2 and 3 at four (4) foot levels (required in the Engineering report at one (1) foot levels), and in turn to set action levels at six foot levels (formerly required to be at eighteen-inch levels). The purpose of this deviation was to deal with the problem of siltation which accretes at the bottom of cells, and which prevents the leachate removal system from operating efficiently. As designated in our December 31, 1980 letter this deviation was granted as a short-term remedial measure. With regard to SCMF No. 2, this previously approved short-term remedial measure will be superseded by the conditions No. 4, 5, 6 and 7 appended to this letter.

This letter also ratifies an additional modification of the initial approval granted March 7, 1980 for the use of SCMF No. 3 for the disposal of PCBs.

Cecos has requested this additional modification by its letter of October 9, 1981. This additional modification departs from the initial approval in that Cecos now seeks to operate a manual system for leachate removal at SCMF No. 3 as opposed to the existing automatic system. This modification is requested on the grounds that operational activities at SCMF No. 3 prevent the current automatic leachate removal system from performing efficiently.

Based on my evaluation of Cecos' original application, subsequent modifications granted on December 31, 1980, all supporting submittals and reports of inspections performed at Cecos' Secure Management Facilities Nos. 2 and 3, I am hereby granting approval for the continued operation of Secure Management Facilities Nos. 2 and 3 pursuant to the prior modifications and the appended conditions, and for the operation of a manual leachate removal system at SCMF

2 ENF-GE:JCWoods/vn:x2462:4/20/82

2 ENF-GE	2 ENF-GE	2 ENF	2 AWH-SW	2 AWH-SW	2 AWH-SW	2 AWH-DD	2 DRA	2 RA
WOODS	MUGDAN	BORCHONSKY	HASSIMIRO	SMITH	REGHA	STOLLER	DEWLING	SCHAFER

No. 3. With respect to No. 3, it is understood that the manual leachate removal system will continue until closure of No. 3 and completion and installation of an improved automatic leachate removal system. This improved automatic leachate removal system shall be operational at the time of closure of No. 3 or within a reasonable period thereafter, not to exceed three months.

Approval of this modification is granted contingent on Cecos' compliance with the conditions appended to this letter, the original approval letters and prior modifications granted by Region II, EPA.

Approval for these modifications may be revoked, modified or otherwise altered at any time when I find that evidence indicates that a violation of the conditions appended to this approval letter, or of 40 CFR Part 761, or other applicable rules and regulations has occurred. Furthermore, receipt of evidence that a misrepresentation of any material fact has been made in the Cecos modification application, or that all relevant facts have not been disclosed, shall constitute sufficient cause for revocation of this approval. This approval does not exempt Cecos from complying with any other applicable federal, state and local laws, rules and regulations.

Should you have any questions about the contents of this letter, please contact Catherine Massimino of my staff at (212) 264-0545.

Sincerely yours,

Acqueline E. Schafer
Regional Administrator

cc: Mr. Norman Wosenchuck, P.E.
Director, Division of Solid Waste
New York State Department of
Environmental Conservation

Mr. John McMahon
New York State Department of
Environmental Conservation

bcc: Mr. Paul Conterman
Chief, Bureau of Hazardous Waste
Technology
New York State Department of
Environmental Conservation

Mr. John Beecher
New York State Department of
Environmental Conservation

1. Beginning on the date of this letter until closure of SCMF No. 3 leachate levels in SCMF No. 3's double secure cell (Subcell V) will be reduced at least once each day to a level of six (6) inches or less. The level measurement will be made from the lowest elevation of the floor area being drained, or in cases where siltation has occurred from the top elevation of the accumulated silt.
2. For a six (6) month period beginning after the closure of SCMF No. 3 the following leachate controls shall be maintained for SCMF No. 3's Subcell V:
 - a. The maximum leachate level at the leachate pumps shall not exceed six (6) feet above the lowest elevation of the floor area being drained.
3. Six (6) months after closure of SCMF No. 3, the following leachate controls shall be maintained for SCMF No. 3's Subcell V:
 - a. The maximum level at the leachate pump shall not exceed two (2) feet above the lowest elevation of the floor area being drained.
 - b. Inner leachate withdrawal operations are to begin when an action level of eighteen (18) inches or less of leachate is reached.
4. For a six (6) month period beginning one month from the date of this letter, leachate levels in SCMF No. 2 General Subcell (Subcell I) shall be maintained as directed for SCMF No. 3 Subcell V in 2(a) above.
5. Seven (7) months from the date of this letter, leachate levels in SCMF No. 2 Subcell I shall be maintained as directed for SCMF No. 3 Subcell V in 3(a) and (b) above.
6. In the event the maximum leachate levels designated in (2) and (3) above are exceeded Cecos shall notify EPA Region II in writing within forty-eight (48) hours of each occurrence and implement measures to bring the leachate levels into compliance within a five (5) day period. Cecos shall also submit a report to EPA Region II within thirty (30) days of each occurrence designating why the maximum leachate levels were exceeded and the measures implemented to bring the leachate levels into compliance.
7. Until further notice Cecos shall continue to include in their monthly reports to EPA Region II, data on both the quantity of leachate pumped and the leachate levels existant prior to pumping. This data is to continue being gathered on a daily basis from SCMF No. 2 and SCMF No. 3.



12-21-81 PC *alligator*

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

Ernest R. Gedeon
Manager
Environmental, Health & Safety Dept.
Cecos International, Inc.
Post Office Box 619
Niagara Falls, New York 14302

Dear Mr. Gedeon:

This letter responds to the application submitted by Cecos International, Inc. (Cecos) requesting approval by the Regional Administrator of the United States Environmental Protection Agency (EPA) Region II for the operation of a landfill to be utilized for the disposal of polychlorinated biphenyls (PCBs) at Cecos' Niagara, New York facility. This new landfill would operate in addition to the landfill located at Cecos' Niagara, New York facility approved for PCB disposal by letter of March 7, 1980. EPA hereby grants the requested approval for a period of three years beginning on the date of this letter, based upon the findings and subject to the conditions and limitations enumerated below. Regulations governing the disposal and marking of PCBs were promulgated by EPA on February 17, 1978 and revised on May 31, 1979. These revised regulations are published beginning at page 31514 of the Federal Register of May 31, 1979 (44 FR 31514), and are codified as Part 761 of Title 40 of the Code of Federal Regulations (40 CFR §761.11 et seq.). The regulations promulgated pursuant to Section 6(e)(1) of the Toxic Substances Control Act, 15 U.S.C. §2605(e)(1) (TSCA), provide that disposal of PCBs is permitted only at facilities approved by the Regional Administrator of the EPA Region in which the facility is located.

Cecos has requested, by its application dated July 20, 1980, that Secure Chemical Management Facility (SCMF) No. 4 at its Packard Road site, Niagara, New York, be approved as a PCB disposal site.

A public comment period was provided by EPA from March 10, 1981 to April 10, 1981 on the Cecos application. The public comments that have been received have been considered in my evaluation of the suitability of SCMF No. 4 as a PCB disposal site. After review of the submitted application and the comments received, I have determined that SCMF No. 4 merits approval for a three-year period. This approval is based upon my evaluation that the landfill meets all of the requirements of 40 CFR §761.41 (Chemical Waste

Landfills) with the following exceptions:

A. The landfill is not located at least fifty feet higher than the nearest groundwater elevation, and its orientation to the highest groundwater table is not in strict compliance with the requirements of 40 CFR §761.41 (b)(3). However, the landfill is designed to collect internal leachate via collection sumps, and is equipped with a low permeability liner composed of clay and high density polyethylene. It is my assessment, based on the information submitted by Cecos, that this design should prevent leachate migration.

B. The landfill has a highly flammable cell (subcell 4) for disposal of wastes that have a flashpoint between 80°F and 130°F and additional grid locations in the general subcell (subcell 1) of 50-51, 60-63 and 72-73 located for disposal of wastes that have a flashpoint between 100°F to 130°F. This is not in accordance with the requirements of 40 CFR §761.41 (b)(3)(iii). I have determined that this deviation from the requirements of the regulation is justified, based upon the following:

1. The landfill's highly flammable subcell and general subcell are separated from adjacent cells by a six-foot wide clay berm.
2. The highly flammable cell and the grid locations designated above in the general cell are located downwind of the prevailing winds on the landfill site, thus reducing the possibility of a fire spreading to other areas of the landfill in the event of such an occurrence.
3. Operational procedures require that soil and ash be placed on top of the wastes disposed in the highly flammable subcell and the grid locations designated above in the general subcell. This will provide an inert barrier between different waste types to prevent in situ reactions from occurring.

I have determined that the above-cited waivers will not present an unreasonable risk of injury to health or the environment from PCBs.

My approval of Cecos' SCMF No. 4 is contingent on the following conditions being met:

A. The following must be appended to your Facilities Operation Plan:

1. PCB disposal as authorized by this approval shall be confined to Cecos' SCMF No. 4's Toxic Cell (subcell 5).
2. Grid locations 50-52, 60-63 and 72-73 in Cecos' SCMF No. 4's general subcell (subcell 1) shall be designated for any material which

exhibit 1 Flashpoint greater than 110°F.

3. Grid Locations 47-49, 52, 59, 64 and 71 in Cecos' SCMF No. 4's General Subcell shall be designated for wastes which are non-combustible and compatible with the materials identified in (1) above. Materials not permitted in these grid locations include strong oxidizing agents and materials which react with water or moisture to evolve heat.

Materials which exhibit flashpoints less than 140°F may only be disposed of in the Highly Flammable Subcell (Subcell 4) and in the General Subcell's grid locations designated in (2) above.

4. Vehicles will enter SCMF No. 4's Toxic Cell. The only exception will be necessary landfill equipment in the Toxic Cell and trucks bringing in bulk materials for the Toxic Cell. All vehicles leaving the Toxic Cell which have not directly been in contact with PCBs will be rinsed at the truck wash area located next to the Waste Treatment System - Phase II.

All vehicles/equipment in direct contact with PCBs will be decontaminated as directed in 40 CFR §761.43(b). The vehicles/equipment will be decontaminated within the Toxic Cell of SCMF No. 4. The non-liquid PCBs resulting from the decontamination procedures (e.g., PCB-contaminated rags) will be placed in drums and disposed of in the landfill. Solvents may be reused for decontamination until they contain a PCB concentration of 50 ppm. The solvents shall then be disposed of in accordance with 40 CFR §761.10(a).

Following decontamination, the vehicles/equipment will be directed to the truck wash area for external rinsing.

6. PCB LIQUIDS OR SLUDGES - For the purposes of this section a sludge is a material which, when a representative sample is exposed to the structural integrity test designated in (b) below, cannot meet the performance criteria designated in that paragraph without prior pretreatment and/or stabilization.

Prior to accepting liquids or sludges for disposal, the following procedures shall be followed:

- a. Batch testing must be performed on a representative sample (obtained utilizing the methods designated in Appendix I (45 FR 33127)) from each shipment of liquids or sludges to determine the PCB concentration. No shipment of liquids or sludges determined to

have a PCB concentration above 500 ppm shall be accepted for disposal.

PCB analysis may only be performed by Laboratories which have a quality assurance program approved by EPA Region II. Verification of this fact must accompany each analysis for the results to be considered valid.

- b. A representative sample of each shipment shall be obtained. This sample shall be stabilized and/or pretreated with highly sorbent biologically - resistant material, so that, when subjected to the structural integrity test designated in (i) below, it meets the performance criteria designated in (ii) below:

i. Structural Integrity Test: Test specified in Appendix II of Part 261 of Title 40 of the Code of Federal Regulations (published in 45 Federal Register 33128 May 19, 1980) as modified below:

1. Equipment: Compaction tester having 1.25" diameter hammer, weight 0.73 lbs. and having a free fall of 6". One suitable device is available from the Associate Design and Manufacturing Company, Alexandria, Virginia as Part No. 125.

2. Procedures: 1. Obtain a representative sample (minimum size 100 grams) of the waste to be tested utilizing the methods in Appendix E (45 FR 33127).

2. Fill the sample holder with the preweighed representative sample. If the waste sample is a monolithic block, then cut out a representative sample from the block, with the dimension of a 1.3" diameter x 2.8" cylinder.

3. Place the sample holder into the compaction tester, then raise the hammer to its maximum height and drop it. This step should be repeated fifteen times.

4. Remove the now-compacted sample from the tester and separate it into component phases utilizing the methods designated in Appendix II - Separation Procedure (45 FR 33128). Weigh the solid portion and compare to original sample weight. This structural integrity test must only be performed by Laboratories with a quality assurance program approved by EPA, Region II. Verification of this fact must accompany each report for the results to be considered valid.

ii. Performance Criteria for Sample:

1. The sample must display a noticeable reduction in unit volume while remaining consolidated.
2. The sample must contain five percent or less free liquid (as measured by comparing the weight of the liquid to the weight of the total sample).

These same procedures developed for stabilization and/or pretreatment of the representative sample shall be applied to each shipment of liquids or sludges for disposal.

Cecos on-site Laboratory facility shall maintain a monthly record, listing by shipment the data designated below. This data shall be submitted to EPA Region II on a monthly basis.

i. The total volume of the shipment.

ii. The PCB concentration obtained utilizing the procedures designated in (a) above of the liquid or sludge.

iii. The method of stabilization and/or pretreatment determined utilizing the procedures designated in (b) above to be applied to the liquid or sludge.

iv. The results of the structural integrity test performed utilizing the procedures designated in (b) above and an indication of the laboratory conducting the test.

7. During the period of operation of SCMF No. 4 and continuing up to six (6) months after closure of SCMF No. 4, the following leachate controls shall be maintained for the Toxic Cell.

a. The maximum leachate level at the leachate pumps shall not exceed four (4) feet above the lowest elevation of the floor of the area being drained.

Inner leachate withdrawal operations are to begin when an action level of two (2) feet or less of leachate is reached.

8. Six months after closure of SCMF No. 4 the following leachate controls shall be maintained for the Toxic Cell.

a. The maximum leachate level at the leachate pump shall not exceed two (2) feet above the lowest elevation of the floor of the area being drained.

b. Inner leachate withdrawal operations are to begin when an action level of twelve (12) inches of leachate is reached.

9. In the event the maximum leachate levels designated in (7) and (8) above are exceeded Cecos shall notify EPA Region II in writing within forty-eight (48) hours of each occurrence and implement measures to bring the leachate levels into compliance within a five (5) day period. Cecos shall also submit a report to EPA Region II within thirty (30) days of each occurrence designating why the maximum leachate levels were exceeded and the measures implemented to bring the leachate levels into compliance.

B. A report for Cecos' SCMF No. 4 containing the results of monthly analyses of samples obtained from item Nos. 4, 5 and 6 below must be submitted to EPA Region II on a monthly basis. A similar report for item Nos. 1, 2, and 3 below must be submitted every two months. The items referenced above are:

1. Shallow Monitoring Wells Nos. 169 and 172.
2. Top of Rock Monitoring Wells Nos. 164, 165, 166, 167, 170, 173, C251, C252, C260, and C261.
3. Bedrock Monitoring Wells Nos. C250, 168 and 171.
4. Surface Sampling Points Nos. SW-1, SW-2, and SW-3.
5. Internal leachate from standpipes in the Toxic Cell (composited).
6. Internal leachate from standpipes in the General Subcell, Pseudo-metal Subcell, Heavy Metal Subcell, and the Highly Flammable Subcell (composited).

The above-listed samples shall be analyzed for at least the following parameters:

- (a) PCBs
- (b) pH
- (c) Specific conductance
- (d) Volatile chlorinated organics

The height of the internal leachate in the above-designated standpipes and the water elevations in the above designated monitoring wells must be provided. In all cases, the sampling and analytical procedures utilized must be specified. The submittal of these monthly (and all other reports required by this letter) shall be made to:

United States Environmental Protection Agency
 Region II
 26 Federal Plaza, Room 432
 New York, New York 10278

ATTN: Permits Administration Branch

The first samples for analyses shall be collected prior to disposal of PCBs in SCMF No. 4. The first submittal shall be accompanied by the manual of quality assurance procedures. Cecos' previously submitted report in compliance with Condition E of the approval granted to Cecos on March 7, 1980 by EPA Region II for the use of Cecos' secure landfill No. 3, if amended to include the monitoring points designated in 1 through 6 above, can be submitted in fulfilling this requirement.

C. Upon closure of Cecos' SCMF No. 4, the requirements of Condition B above will be amended by the following:

1. During the first year after closure of Cecos SCMF No. 4, reports for SCMF No. 4 must be submitted to EPA Region II containing the results of analyses of samples obtained on an every other month basis for Item Nos. 1, 2 and 3 for pH, specific conductance and volatile chlorinated organics and on a semi-annual basis for Item Nos. 1, 2, and 3 for PCBs and Item Nos. 4, 5, and 6 for all 4 listed parameters.

2. From years 2 through 6 after closure of Cecos' SCMF No. 4 reports for SCMF No. 4 containing the results of analyses of samples obtained on a quarterly basis from items Nos. 1, 2 and 3 must be submitted to EPA Region II.

The results of sampling for pH, specific conductance and volatile chlorinated organics for items 2 and 3 must be submitted by the first and third quarter of the calendar year while the results of sampling for these parameters for item 1 must be submitted by the second and fourth quarter of the calendar year. On a semi-annual basis, the results of sampling for PCBs for item Nos. 1, 2, and 3 and for all 4 parameters for Item Nos. 4, 5, and 6 must be submitted to EPA Region II.

3. From year 6 through 30 after closure of Cecos' SCMF No. 4 reports for SCMF No. 4 must be submitted to EPA Region II containing the results of analyses of samples obtained on a semi-annual basis for Item Nos. 2, 4, 5, and 6 and on an annual basis for Item Nos. 1 and 3.

D. Prior to disposal of PCBs in Cecos' SCMF No. 4, Cecos shall submit to EPA Region II a licensed professional engineer's written certification, including as-built drawings, that Cecos' SCMF No. 4 was constructed in accordance with the design specifications and operating procedures stated in its application and support documents.

E. Within sixty (60) days of the date of this approval letter final engineering plans and drawings detailing the automatic leachate pumping system to be installed in SCMF No. 4 and a construction schedule for the installation of this system shall be submitted by Cecos to EPA Region II for approval.

F. Upon closure of Cecos' SCMF No. 4, Cecos shall submit a licensed professional engineer's written certification, including as-built drawings, that the closure construction was in accordance with the design specifications and operating procedures stated in Cecos application and support documents.

G. Cecos shall submit to EPA Region II within ninety (90) days of the closure of Cecos' SCMF No. 4 a copy of the complete Grid Location Number Record Summary (as specified in the Cecos application).

H. Cecos shall submit to EPA Region II copies of the complete Facility Inspection Reports (specified in the Cecos application) after closure of Cecos' SCMF No. 4. These reports will be compiled at a minimum of six (6) month intervals for a period of 30 years.

I. A report must be submitted to EPA Region II on a semi-annual basis prior to closure of SCMF No. 4 and annually after closure of Cecos SCMF No. 4 for a period of 30 years indicating the levels of organic priority pollutants contained in the samples obtained in accordance with Condition B above. In all cases, the sampling and analytical procedures used shall be specified.

J. Testing for volatile chlorinated organics and organic priority pollutants must be performed as designated in EPA Manual "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants".

K. At a frequency not to exceed once per month, EPA Region II may provide Cecos with a quality assurance sample. This sample must be analyzed for the same parameters as the monitoring well samples specified in Condition B above, and submitted with the monthly report.

L. A report shall be submitted yearly, beginning no later than July 1, 1982, which specifies the manner in which PCBs were handled at Cecos SCMF No. 4 during the previous calendar year. This report shall be in conformance with the requirements set forth in 40 CFR §761.45(b).

M. On a semi-annual basis during the operational life of the landfill, a copy of all reports provided to Cecos from on site inspections, visits, drills, or recommendations from official regulatory and/or safety organizations (including but not limited to fire companies, hospital services and the U.S. Occupational Safety and Health Administration) shall be submitted to EPA Region II.

N. Cecos must allow any duly-designated representative of EPA to inspect Cecos' SCMF No. 4, and all records and testing facilities; and to take such samples as may be necessary so as to monitor and enforce EPA's PCB Marking and Disposal Regulations (40 CFR §761.1 et. seq). Any refusal by Cecos to allow such an inspection (as authorized by Section II of TSCA) shall be grounds for immediate termination of this approval.

O. Cecos must adhere to all design specifications and operating procedures stated in its application and supporting documents. (A complete list of these documents is listed in the Appendix.) Deviations from these specifications or procedures are allowed only if written authorization is provided by EPA.

This approval for disposal of PCBs in Cecos' SCMF No. 4 does not relieve Cecos of the responsibility to comply with all applicable Federal, State and local regulations. This approval may be revoked, modified or otherwise altered, at any time when I find that evidence indicates that a violation of the conditions of this approval letter, 40 CFR Part 761 or other applicable rules and regulations has occurred. Furthermore, receipt of evidence that a misrepresentation of any material fact has been made in the Cecos application, or that all relevant facts have not been disclosed, shall constitute sufficient cause for revocation or modification of this approval.

Sincerely yours,

Richard T. Dewling, Ph.D.
Acting Regional Administrator

cc: Robert F. Flacke, Commissioner
New York State Department of
Environmental Conservation

John McMahon
New York State Department of
Environmental Conservation

Norman Nosenchuck, P.E., Director
Division of Solid Waste Management
New York State Department of
Environmental Conservation

APPENDIX

Application Submitted by Cecos and Supporting Documents

1. "Secure Chemical Management Facility No. 4 Volume I, Engineering Report", dated June 1980 prepared by Wehran Engineering.
2. "Secure Chemical Management Facility No. 4 Volume II Engineering Plans", dated June 1980 prepared by Wehran Engineering.
3. "Supplemental Draft Environmental Impact Statement for Proposed Secure Chemical Management Facilities No. 4 and No. 5" submitted July 20, 1980 prepared by Ecological Analysts, Inc.
4. "Facilities Operation Plan Secure Chemical Management Facilities" submitted July 20, 1980.
5. "Monitoring, Maintenance and Contingency Plan SCMF No. 4 and No. 5", dated May 6, 1981.
6. "Evaluation of Impact of Acid Neutralization Waste on Clay, Cecos Acid Neutralization Ponds", dated June 13, 1980.
7. "Study on the Resistance of Synthetic Liners to the Chemicals in SCMF No. 3 sub-cells", dated July 8, 1980.
8. "Discussion - 80 mil HDPE membrane with one foot clay protective barrier vs. 30 mil Hypalon membrane with two foot clay protective barrier", dated August 16, 1978.
9. "Drainage Study - Secure Landfills No. 4 and No. 5" dated May 25, 1980.
10. "Revision to Proposed Monitoring well construction SCMF No. 4", dated July 25, 1981.
11. "Revised Ground-Water Monitoring Program Proposed Secure Chemical Management Facilities 4 and 5 Packard Road/Pine Avenue Site", dated April 24, 1981.
12. "Supplemental Hydrogeologic Study of the Packard Road/Pine Avenue Site", dated April 24, 1981.
13. "Physical and Chemical Immobilization for Secure Chemical Management Facility Disposal", submitted May 1981.
14. Errata sheets relative to Cecos International Inc's reapplication for permits to construct and operate Secure Chemical Management Facilities No. 4 and No. 5 at Cecos' Pine Avenue/Packard Road Site.
15. Letter dated April 27, 1981 to John E. Roife (Cecos) from Ronald A. Landon (ERM, Inc.).

JUN 19 1981

Mr. Ernest R. Gedeon
Manager
Environmental, Health and
Safety Department
Cecos International, Inc.
Post Office Box 619
Niagara Falls, New York 14302

Dear Mr. Gedeon:

This letter responds to two (2) requests made by Cecos International, Inc. (Cecos) for modifications of the approvals granted to Cecos on August 18, 1978 and March 7, 1980 by the U.S. Environmental Protection Agency, Region II (EPA) for the use of Cecos' Secure Chemical Management Facility (SCMF) No. 2 and SCMF No. 3 for the disposal of polychlorinated biphenyls (PCB's).

The first request was dated March 4, 1981 and states a desire to amend the modification to SCMF No. 3 granted to Cecos by EPA's letter of February 4, 1981 to allow for a design which is independent of landfill operations and easier to construct. The February 4, 1981 EPA-approved modifications included increasing the capacity in all subcells of SCMF No. 3 and amending the cap design for SCMF No. 3 to eliminate a layer of unconsolidated material (sand). This requested amendment is an alternate design to that included in the February 4, 1981 EPA-approved modification, which offers different geometric shapes to the clay core wall on the west and south sides.

My staff has performed a comprehensive evaluation of your request. Based on the results of their evaluation, I have decided to approve Cecos' request to amend the February 4, 1981 EPA-approved modification to SCMF No. 3. This approval is effective immediately and is contingent on Cecos' compliance with all conditions of the original approval letter and all subsequent modifications of said approval in addition to the following supplemental conditions:

1. Condition X of the above-cited March 7, 1980 approval letter shall be amended as follows:

K. A joint report for Landfills Nos. 2 and 3 must be submitted to EPA Region II on a monthly basis, containing the results of monthly analyses of samples obtained from item Nos. 1, 3-8 inclusive below and bimonthly analysis for item No. 2 below.

1. Monitoring wells Nos. 18, 19, 20, 26.
2. Monitoring wells Nos. D-12, 63 and 93.
3. Internal leachate from standpipes 58 and 58a (composited).
4. Internal leachate from standpipes 59, 59a, 60, 60a, 61, 61a, 62 and 62a (composited).
5. Monitoring wells No. 10, 25, 42, 52 and 53.
6. Internal leachate from standpipes 47 and 47a (composited).*
7. Internal leachate from standpipes 45, 45a, 46 and 46a (composited).*
8. Surface sampling points Nos. 11 and 12.

The above-listed samples shall be analyzed for at least the following parameters:

- a. PCB's
- b. pH
- c. Specific conductance
- d. Volatile chlorinated organics

The height of the internal leachate in the above-designated standpipes and the water elevations in the above-designated monitoring wells must be provided. In all cases, the sampling and analytical procedures utilized must be specified.

The submittal of these monthly analyses (and all other reports required by this letter) shall be made to:

United States Environmental Protection Agency
Region II
26 Federal Plaza
New York, New York 10278
Attn.: Permits Administration Branch

*After closure of Landfill No. 2, sample collection and analysis of these monitoring points need be performed only on a semi-annual basis, and reports of analyses submitted accordingly.

2. Prior to disposal of PCB's in modified SCOT No. 3, Cacos will submit to EPA a Licensed Professional Engineer's written certification, including as-built drawings, that the modification to SCOT No. 3 was constructed in accordance with the approved design specifications and operating procedures.

3. Item No. 14 of the above-cited March 7, 1980 approval letter's appendix shall be amended as follows:

14. "Drawings C79023-6 through C79023-10 inclusive for Secure Landfill No. 3."

4. The following shall be appended to the above-referred to Appendix:

20. "Addendum #1 for Secure Landfill #3 - Perms Addition and Capping Modification dated October 23, 1980."

This second request dated March 6, 1981 by Cacos proposes to revert from automatic to manual pumping of leachate in SCOT No. 2 and SCOT No. 3 during the repair of the cover of SCOT No. 2 and the construction of the modification to SCOT No. 3. This proposed modification is based on the necessity of removing the power lines and leachate transfer lines that are integral parts of Cacos' automatic pumping system to perform the above-referenced activities for SCOT No. 2 and SCOT No. 3.

Based on my staff's evaluation of this request, the above deviation from present leachate handling procedures is granted during the repair of the cover of SCOT No. 2 and the construction of the modification to SCOT No. 3 contingent on the following:

1. Cacos' submission to EPA of the startup and completion dates for the above-referred to activities for SCOT No. 2 and SCOT No. 3 within ten (10) days of actual occurrence.

2. Cacos' submission for EPA approval within thirty days of their receipt of this approval of an activity schedule for achieving return to the leachate handling procedures of pump placement at one (1) foot elevation in the standpipes and action level of 18 inches in SCOT No. 2 and SCOT No. 3, which EPA's letter of December 31, 1980 allowed Cacos to deviate from as a short-term remedial measure. This activity schedule should include the anticipated date for return to the above-referred to leachate handling procedures and the necessary activities to be conducted to meet this date.

If you have any questions regarding the conditions set forth in this letter, please contact Catherine Massimino of my staff at (212) 264-0545.

Sincerely yours,

Richard T. Dowling, Ph.D.
Acting Regional Administrator

cc: Commissioner Robert F. Flack
New York State Department of
Environmental Conservation

Norman Rosenheck, P.E., Director
Division of Solid Waste, NYSDEC

John McMahon
NYSDEC, Region IX

bcc: Paul Counterman
NYSDEC

John Beecher
NYSDEC, Region IX

4 FEB 1991

Mr. Ernest A. Gedeon
Corporate Environmental, Inc.
P.O. Box 619
Niagara Falls, New York 14303

Dear Mr. Gedeon:

This letter responds to a July 20, 1980 request by Cecos International, Inc. (Cecos) for modifications of their approval which was granted to Cecos on March 7, 1980 by the Regional Administrator of the U.S. Environmental Protection Agency, Region II (EPA). This approval involved the use of Cecos' Secure Chemical Management Facility (SCMF) No. 3 at their Packard Road site, Niagara Falls, New York for the disposal of polychlorinated biphenyls (PCB's) in accordance with 40 CFR Part 761. The requested modifications would increase the internal capacity in all subcells of SCMF No.3 and amend the cap design for SCMF No.3 that was designated in Cecos' Engineering Report and Draft Environmental Impact Statement to eliminate one layer of unconsolidated material (sand).

My staff have performed a comprehensive evaluation of the proposed modifications. Based on the results of their evaluation, I hereby approve Cecos' request to increase the capacity in all subcells of SCMF No.3 and to amend the cap design for SCMF No.3 to eliminate one layer of unconsolidated material (sand). This approval is effective immediately and is contingent on Cecos' compliance with all conditions of the original approval letter and all subsequent modifications of said approval, in addition to the following supplemental conditions:

1. The Operation Plan Section 3.7.3.1b (a+b) designated in the July 23, 1980 correspondence to Cecos from EPA shall be amended to read as follows:

Section 3.7.3.1b

PCB LIQUID OR SLUDGES

For the purposes of this section a sludge is a material which, when a representative sample is exposed to the structural integrity test designated in (b) below, cannot meet the performance criteria designated in that paragraph without prior pretreatment and/or stabilization.

4. Remove the now-compacted sample from the tester and separate it into component phases utilizing the methods designated in Appendix II- Separation Procedure (45 FR 33128). Weigh the solid portion and compare to original sample weight.

This structural integrity test must only be performed by laboratories which have a quality assurance program approved by KPA, Region II. Verification of this fact must accompany each report for the results to be considered valid.

ii. Performance Criteria for Sample:

1. The sample must display a noticeable change in unit volume while remaining consolidated.
2. The sample contains fifteen percent or less free liquid (as measured by comparing the weight of the liquid to the weight of the total sample).

These same procedures developed for stabilization and/or pretreatment of the representative sample shall be applied to each shipment of liquids or sludges for disposal.

2. Replace monitoring well No. 27 (designated in Condition I of the above-cited March 7, 1980 approval letter) with monitoring well No. 26.

3. Submit the following information to KPA for monitoring wells No. 42, 48, 52, 53, 63 and 95, within 60 days of receipt of this approval.

A. The Drillers Logs.

B. The results of permeability tests performed on the soil samples pulled during the drilling operation (if available).

C. Details of the monitoring wells to include at a minimum the following:

- a. Depth of casing
- b. Casing material
- c. Information to support that the casing is tightly seated in the bedrock (if applicable)
- d. Type of cap
- e. Material used as a casing sealant
- f. Plugging material used to prevent percolation of surface water into the well bore.

4. Item No. 12 of the Appendix to the above cited March 7, 1980 approval letter, which included a draft Cecos response should be amended to include the final form of Cecos' response dated October 12, 1979.

5. The following shall be appended to the above referred to Appendix:

13. "Engineering Report, Secure Landfill #3 Barn Addition and Capping Modification dated July 3, 1980".
14. "Drawings C79023-01 through C79023-04 inclusive for Secure Chemical Management (SCMF) #3".
15. "Supplemental Draft Environmental Impact Statement for Proposed Modification to SCMF #3".
16. "Study on the Resistance of Synthetic Liners to the Chemicals in SCMF #3 Sub-Cells, dated July 8, 1980".
17. "Discussion-80 mil HDPE membrane with one foot clay protective barrier vs 30 mil Hypalon membrane with two foot clay protective barrier, dated July 9, 1980".
18. "HDPE Membrane Technical Information and Test Reports, dated August 16, 1978".
19. Final Report, "Slide Failures in Secure Chemical Management Facility #3".

If you have any questions regarding the conditions set forth in this letter, please contact Catherine Massimino of my staff at (212)-264-7309.

Sincerely yours,

Charles S. Warren
Regional Administrator

cc: Commissioner Robert F. Flacka
New York State Department of
Environmental Conservation

Norman Rosenchuck, P.E., Director
Division of Solid Waste, NYSDEC

John McMahon
New York State Department of
Environmental Conservation

JAN 29 1981

Mr. Ernest R. Gedeon
Manager
Environmental Health & Safety
Department
Cecos International, Inc.
Post Office Box 619
Niagara Falls, New York 14302

Dear Mr. Gedeon:

This letter responds to a second request made by Cecos International, Inc. (Cecos), on December 31, 1980, for modification of the approval granted to Cecos on August 18, 1978 and March 7, 1980 by the U.S. Environmental Protection Agency, Region II (EPA) for the use of Cecos' Secure Chemical Management Facility (SCMF) No. 2 and SCMF No. 3, respectively for the disposal of polychlorinated biphenyls (PCB's).

The request dated December 31, 1980 by Cecos proposed to discontinue automatic pumping of leachate in SCMF No. 2 and SCMF No. 3 until Spring 1981 and to remove leachate by manual pumping on days when the temperature is above 32 degrees Fahrenheit. Approval to revert from automatic to manual pumping of leachate in SCMF No. 2 and SCMF No. 3 until April 1, 1981 was granted to Cecos by EPA on December 31, 1980 in response to Cecos' original request of December 8, 1980.

The request for manual pumping to be done in SCMF No. 2 and SCMF No. 3 only on days when the temperature is above 32 degrees Fahrenheit is hereby approved.

Should you have any questions about the contents of this letter, please contact Catherine Massimino of my staff at (212) 264-7309.

Sincerely yours,

Charles S. Warren
Regional Administrator

cc: Commissioner Robert F. Flacke,
NYSDEC

R Herman Rosenchuck, NYSDEC

John McMahon, NYSDEC, Region IX

bcc: Richard Baker, 2PAB
William Friedman, 2ENF-GE
Charles Goddard, NYSDEC
Paul Counterman, NYSDEC
John Beecher, NYSDEC, Reg. 9

2ENF-WF:CMASSIMINO:rw:1/26/81:X7309

2ENF-WF 2ENF-WF 2ENF-GE 2ENF-GE 2ENF-DO 2ENF 2DRA 2RA

2ENF-WF

23 JUL 1980

Mr. Ernest R. Gedeon
Corporate Environmental Manager
Cecos International, Inc.
Post Office Box 619
56th Street and Pine Avenue
Niagara Falls, New York 14302

Dear Mr. Gedeon:

This letter responds to the two submittals made by Cecos International, Inc. (Cecos) as required by the terms of the approval granted to Cecos on March 7, 1980 by the U.S. Environmental Protection Agency (EPA) for use of Secure Landfill No. 3 at Cecos' Packard Road site for the disposal of polychlorinated biphenyls (PCB's).

Cecos' first submittal, dated April 2, 1980 (with additional information submitted on May 1, 1980), requested the substitution of two existing monitoring wells (D-12 and D-14) owned by DuPont for the monitoring wells required by EPA. This request is hereby approved, provided that the two wells are plugged with portland cement as indicated on Drawing NCD-43, Revision 4 (October 12, 1979), submitted in Cecos' application for Secure Landfill No. 3.

The second Cecos submission, dated May 1, 1980, included those items required in Sections B and C of the March 7, 1980 approval. Under Section B of the March 7, 1980 approval, Cecos was required to append certain procedures to its operational plan and submit this revised plan to EPA for approval. My staff has evaluated the revised plan, and based on the results of that evaluation, it has been determined that certain changes should be incorporated into said plan. The revised plan reads as follows:

Section 3.7.3.1

PCB's

- a. No vehicles will enter the double secure cell (PCB cell) of the Secure Chemical Management Facility (SCMF). The only exception will be necessary landfill equipment in the double secure cell and trucks bringing in bulk materials for the double secure cell.

ZVA-SW:C.Massimino:ms:7/2/80

ZVA-SW
Massimino/
Frisco

ZVA-SW
Regna

ZVA-DD
Zelickson

ZVA-S
Simon

ZENF
Workin/
Nichols

MTTF
Morales

ZIRA
Paulina

ZRA
Marty

All vehicles leaving the double secure cell which have not directly been in contact with PCB's will be rinsed at the truck wash area located next to the Waste Treatment System - Phase II.

All vehicles/equipment in direct contact with PCB's will be decontaminated as directed in 40 CFR §761.43(b). The vehicles/equipment will be decontaminated within the landfill. The non-liquid PCB's resulting from the decontamination procedures (e.g. PCB-contaminated rag) will be placed in drums and disposed of in the landfill. Solvents may be reused for decontamination until they contain a PCE concentration of 50 ppm PCB's or greater. The solvents shall then be disposed of in accordance with 40 CFR §761.10(a).

Following decontamination, the vehicles/equipment will be directed to the truck wash area for external rinsing.

Section 3.7.3.1.b

PCB LIQUID OR SLUDGES

Prior to accepting liquids or sludges for disposal, the following procedures shall be followed:

- a. Batch testing must be performed on each shipment of liquids or sludges to determine the PCB concentration. PCB analysis may only be performed by laboratories which have a quality assurance program approved by EPA Region II. Verification of this fact must accompany each analysis for the results to be considered valid.

No shipment of liquids or sludges determined to have a PCB concentration above 500 ppm shall be accepted for disposal.

- b. A representative sample of each shipment shall be obtained for the purpose of determining the appropriate method of stabilization and/or pretreatment with highly-sorbent, biologically resistant materials so that it contains 15 percent or less free liquid (as measured by comparing the weight of the liquid to the weight of the total sample) after exposure to the structural integrity test designated below. These same procedures developed for stabilization and/or pretreatment of the representative sample shall be applied to each shipment of liquids or sludges for disposal. Cecos International, Inc., shall utilize the structural integrity test specified in Appendix II of Part 261 of Title 40 of the Code of Federal Regulations (published in 45 Federal Register 33128 May 19, 1980; as modified below:

Equipment:

Compaction tester having 1.25" diameter hammer, weight 0.73 lbs. and having a free fall of 6" (Figure I). (One suitable device is the Associate Design and Manufacturing Company, Alexandria, Va. 22314, Cat. No. 125).

- 7-
- Procedures:
1. Obtain a representative sample (minimum size: 100 grams) of the waste to be tested utilizing the methods designated in Appendix I (45 FR 33127).
 2. Fill the sample holder with the pre-weighed representative sample. If the waste sample is a metallic block, then cut out a representative sample from the block, with the dimension of a 1.3" diameter X 2.8" cylinder.
 3. Place the sample holder into the compaction tester, then raise the hammer to its maximum height and drop it. This step should be repeated fifteen times.
 4. Remove the now-compacted sample from the tester and separate it into component phases utilizing the methods designated in Appendix II - Separation Procedure (45 FR 33128). Weigh the solid portion and compare to original sample weight.

This structural integrity test must only be performed by laboratories which have a quality assurance program approved by EPA, Region II. Verification of this fact must accompany each report for the results to be considered valid.

- c. The following information will be furnished to the Quality Control Laboratory (QC Lab) prior to acceptance by Cecos of any liquid or sludge for disposal:
 1. PCB concentration of the liquid or sludge, and indication of the laboratory conducting the analysis.
 2. The method of stabilization and/or pretreatment.
 3. The results of the structural integrity test and an indication of the laboratory conducting the test.
- d. The QC Lab will maintain a monthly record, listing by shipment, the aforementioned data and the total volume of the shipment.

Additionally, the QC Lab will test the materials, as outlined above, for free liquids, to insure the 15 percent free liquid limit is not exceeded and for PCB concentration to insure the 500 ppm limit is not exceeded. The results of these tests shall be submitted to EPA Region II along with Cecos' monthly reports.

Under Section C of the March 7, 1980 approval, Cecos was required to submit a map designating the location of wash areas and detailing the procedures to be utilized for collection and disposal of wash area runoff. This requirement is not in Cecos' May 1, 1980 submittal.

Should you have any question about the contents of this letter or should the changes made to your operational plan not be acceptable to you, please contact Catherine Maximino of my staff at (212) 64-4504.

Sincerely yours,

Charles S. Warren
Regional Administrator

cc: Commissioner Robert Flacke
NYSDEC

Norman Nosenchuck, P.e.
NYSDEC

John McMahon
NYSDEC, Region IX

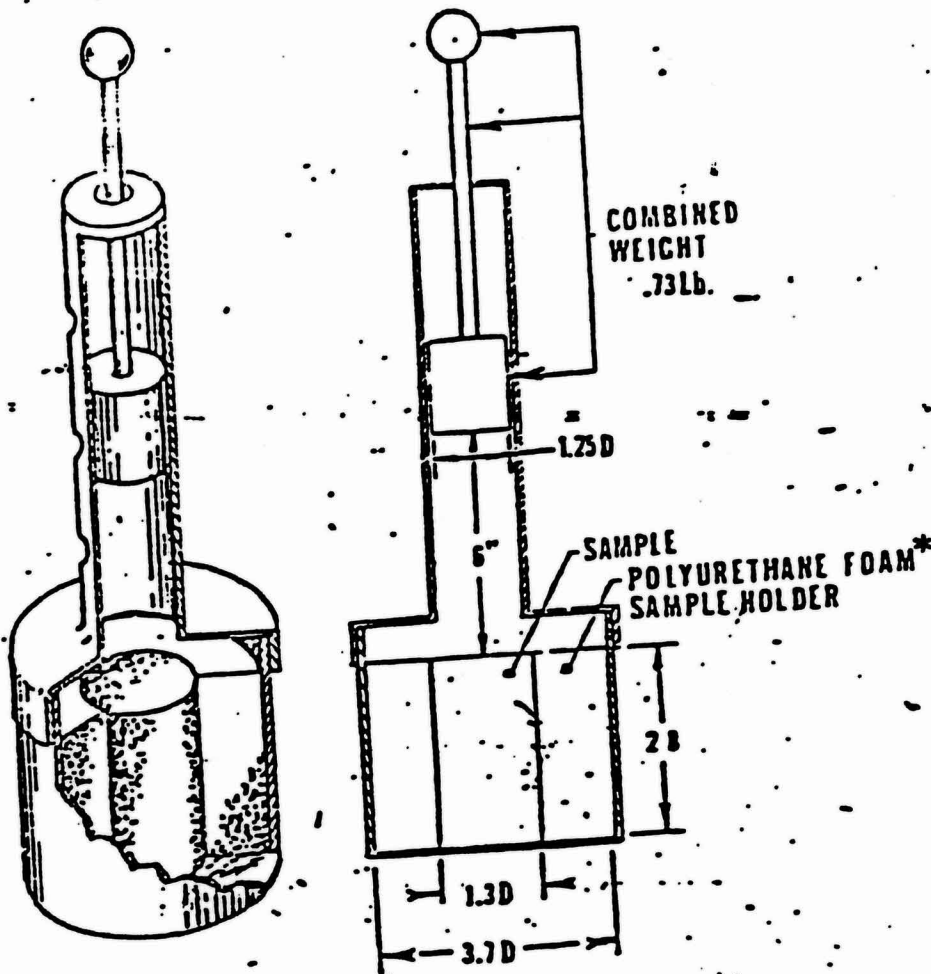
bcc: Richard Baker
Permits Administration Branch

John Beecher
NYSDEC, Region IX

Charles Goddard
NYSDEC

[6560-01-C]

Figure 1



COMPACTION TESTER

* Polyurethane foam shall conform to requirements for Grade 21, performance Grade AD or BD, established in ASTM Standard D3453.

Cecos

to "H Correspondence"

Mr. Ernest A. Gedeon
Corporate Environmental Manager
Cocos International Incorporated
P.O. Box 619
Niagara Falls, New York 14302

Dear Mr. Gedeon:

This letter responds to a request made by Cecos International, Inc. (Cecos) for modification of the approval granted to Cecos on March 7, 1980 by the U.S. Environmental Protection Agency (EPA) for the use of Cecos' Secure Landfill No. 3 at its Packard Road site, Niagara Falls, New York, for the disposal of polychlorinated biphenyls (PCB's).

Cecos' request, initially set out in a letter dated March 26, 1980, would change the manner in which Cecos segregates flammable wastes in Secure Landfill No. 3. Specifically, this request proposes to separate the materials which exhibit flashpoints between 80°F and 130°F into two groups. One group, which includes materials with flashpoints between 80°F and 100°F, would be located in the highly flammable subcell (subcell IV), presently referred to as the flammable subcell. The other group includes materials which exhibit flashpoints between 100°F and 130°F. These would be segregated within designated grids in the general subcell (subcell I) or could also be placed in the highly flammable subcell.

My staff has performed a comprehensive evaluation of the proposed modification. Based on the results of that evaluation, I have decided that a change in the manner in which Cecos segregates flammable wastes in Secure Landfill No. 3 is permissible. Such change, however, must incorporate the following:

1. The highly flammable subcell (subcell IV) shall be designated for any material which exhibits a flashpoint greater than 80°F.
2. Grid location numbers 55-57 and 64-66 within the general subcell (subcell I) shall be designated for any material which exhibits a flashpoint greater than 110°F.
3. Grid locations 51-54, 58 and 63 within the general subcell shall be designated for wastes which are non-combustible and compatible with the materials identified in number 2, above. Materials not permitted in these grid locations include strong oxidizing agents and materials which react with air or moisture to evolve heat.

2WA-SW:C.Massimino:ms:5/5/80

ZNA-SW	ZNA-SW	ZNA-SW	ZNA-DD	ZNA	2ENF-GE	2ENF-GE	2ENF	2DRA	2RA
Massimino	Frisco	Regna	Zelikson	Simon	Friedman	Dworkin	Morales Sanchez	Dewling	Warren

4. Materials which exhibit flashpoints less than 140°F may only be disposed of in the locations listed in numbers 1 and 2, above.
5. Numbers 1, 2, 3 and 4, above shall be appended to Cocos' Engineering Report and Draft Environmental Impact Statement, as revised on March 26, 1980. In addition, Figure 12 of the Engineering Report shall be revised to indicate that grid location numbers 55-57 and 64-66 (within the general cell) must have cover type 1 - soil and ashes.

This approval is effective immediately, contingent upon Cocos' adherence to the design specifications and operating conditions in its Engineering Report, as revised on March 26, 1980, and appended by this letter.

Should you have any questions about the contents of this letter, please contact Catherine Massimino of my staff at (212) 264-0504.

Sincerely yours,

Charles S. Warren
Regional Administrator

cc: Commissioner Robert Flacke
NYSDEC

Norman Nosenchuck, P.E.
Director, Division of Solid
Waste Management
NYSDEC

John McMahon
NYSDEC, Region IX

bcc: Richard Baker, Chief
Permits-Administration Branch

John Beecher
NYSDEC, Region IX

Charles Goddard
NYSDEC



26003 3 3-7-80

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10007

Mr. Louis E. Wagner
President
Cecos International, Inc.
4626 Royal Avenue
Niagara Falls, New York 14303

Dear Mr. Wagner:

This letter responds to the application submitted by Cecos International, Inc. (Cecos) (formerly Newco Chemical Waste Systems, Inc.) requesting approval by the Regional Administrator of the United States Environmental Protection Agency (EPA), Region II for the operation of a landfill to be utilized for the disposal of polychlorinated biphenyls (PCB's) at Cecos's Niagara, New York facility. This new landfill would operate in addition to the adjacent landfill approved for PCB disposal by EPA by letter of August 18, 1978. EPA hereby grants the requested approval for a period of three years beginning on the date of this letter, based upon the findings and subject to the conditions and limitations enumerated below.

Regulations governing the disposal and marking of PCB's were promulgated by EPA on February 17, 1978 and revised on May 31, 1979. These revised regulations are published beginning at page 31514 of the Federal Register of May 31, 1979 (44 FR 31514), and are codified as Part 761 of Title 40 of the Code of Federal Regulations (40 CFR §761.1 et. seq.). The regulations, promulgated pursuant to Section 6(e)(1) of the Toxic Substances Control Act, 15 U.S.C. §2605(e)(1) (TSCA), provide that disposal of PCB's is permitted only at facilities approved by the Regional Administrator of the EPA Region in which the facility is located.

Cecos has requested, by its application dated February 28, 1979, that Secure Landfill No. 3 at its Packard Road site, Niagara, New York, be approved as a PCB disposal site. This landfill presently has a permit issued by the New York State Department of Environmental Conservation (DEC) to accept and dispose of hazardous wastes. A public comment period on the Cecos application was provided by EPA from November 14, 1979 to December 14, 1979. No comments were received.

After review of the submitted application, I have determined that Secure Landfill No. 3 merits approval for a three-year period. This approval is based upon my evaluation that the landfill meets all of the requirements of 40 CFR §761.41 (Chemical Waste Landfills) with the following exceptions:

- A. The landfill is not at least fifty feet from the nearest groundwater, and its orientation to the highest groundwater table is not in strict compliance with the requirements of 40 CFR §761.41(b)(2). However, the landfill is designed to collect internal leachate via collection sumps, and is equipped with a low permeability liner composed of clay and hypalon. It is my assessment that this design will prevent leachate migration.
- B. The landfill has a flammable cell (subcell IV) for disposal of wastes that have a flashpoint between 80°F and 135°F. This is not in accordance with the requirements of 40 CFR §761.41(b)(8)(iii). I have determined that this deviation from the requirements of the regulations is justified, based upon the following:
1. The landfill's flammable cell is separated from adjacent cells by a six-foot wide clay berm.
 2. The landfill's flammable cell contains its own leachate collection system and, consequently, is not hydraulically connected to the other landfill cells.
 3. The landfill's flammable cell is located approximately 280 feet southeast of the PCB cell (subcell V) and is adjacent to the cells containing the least amount of organic material (the heavy metals cell (subcell III) and the pseudo-metals cell (subcell II)). Further, the flammable cell is located downwind of the prevailing winds on the landfill site, thus reducing the possibility of a fire spreading to other areas of the landfill in the event of such an occurrence.
 4. Operational procedures require that soil and ash be placed on top of the flammable wastes when such wastes are placed in the landfill. This will provide an inert barrier between different waste types to prevent in situ reactions from occurring.

I have determined that the above-cited waivers will not present an unreasonable risk of injury to health or the environment from PCB's.

My approval of Cecos Landfill No. 3 is contingent on the following conditions being met:

- A. Two additional monitoring wells must be installed within 30 days of receipt of this approval. Design details and drawings for the additional wells must be submitted to EPA Region II, and approved prior to installation. The two monitoring wells shall be located as follows:
1. One monitoring well approximately 50 feet west of the former location of monitoring well No. 20, with the bottom of the well dug into bedrock.
 2. One monitoring well approximately 350 feet west and 50 feet north of the former location of monitoring well No. 20, with the bottom of the well dug into bedrock.

B. The following must be appended to your operational plan. (A copy of the revised plan must be submitted to EPA Region II for approval.)

1. All vehicles entering the landfill interior must undergo external rinsing at designated wash areas before leaving the facility.
2. All vehicles coming in direct contact with PCB's must undergo the decontamination procedures outlined in 40 CFR §761.43.
3. Prior to accepting sludges or liquids for disposal, the following procedures shall be followed:
 - a. Batch testing must be performed on each shipment of sludges or liquids to determine the PCB concentration. Analysis must be conducted in accordance with the quality assurance procedures which are designated in Condition E below. No shipments of sludges or liquids determined to have a PCB concentration above 500 ppm shall be accepted for disposal.
 - b. A representative sample of each shipment shall be obtained for the purpose of determining the appropriate method of stabilization and/or pretreatment. The sample must be stabilized and/or pretreated with a highly-sorbent biologically-resistant material so that it contains 15 percent or less free liquid (as measured by comparing the weight of the liquid to the weight of the total sample) after exposure to the structural integrity test designated below. These same procedures developed for stabilization and/or pretreatment of the representative sample shall be applied to each shipment of sludges or liquids upon disposal.

Cecos shall utilize the structural integrity test specified in Proposed Section 250.13(d)(2)(B) of Title 40 of the Code of Federal Regulations (published in 43 Federal Register 58956, December 18, 1978), or an equivalent test that has been approved by EPA Region II.

A designation of the procedures employed for each representative sample (and each shipment) shall be submitted to EPA Region II along with the monthly reports.

- C. Within sixty days of your receipt of this approval, a map designating the location of wash areas (referred to in your additional information submittal of October 12, 1979 at Section B(3)(f)) and details on the procedures to be utilized for collecting and disposing of wash area runoff must be submitted to EPA Region II.
- D. On a semi-annual basis during the operational life of the landfill, a copy of all reports on site inspections, visits, drills, or recommendations from official regulatory and/or safety organizations (including but not limited to fire companies, hospital services and the U.S. Occupational Safety and Health Administration) must be submitted to EPA Region II.

E. A joint report for Landfills Nos. 2 and 3 must be submitted to EPA Region II on a monthly basis, containing the results of monthly analyses of samples obtained from the following:

1. Monitoring wells Nos. 1, 18, 19 and 27;
2. The two monitoring wells designated in Condition A above;
3. Internal leachate from standpipes 58 and 58a (composited);
4. Internal leachate from standpipes 59, 59a, 60, 60a, 61, 61a, 62 and 62a (composited);
5. Monitoring wells No. 10, 21 and 25;*
6. Internal leachate from standpipes 47 and 47a (composited);*
7. Internal leachate from standpipes 45, 45a, 46 and 46a (composited);*
8. Surface sampling points Nos. 11 and 12.

The above-listed samples shall be analyzed for at least the following parameters:

- a. PCB's
- b. pH
- c. Specific conductance
- d. Volatile chlorinated organics.

The height of the internal leachate in the above-designated standpipes and the water elevations in the above-designated monitoring wells must be provided. In all cases, the sampling and analytical procedures utilized must be specified.

The submittal of these monthly analyses (and all other reports required by this letter) shall be made to:

United States Environmental Protection Agency
Region II
26 Federal Plaza
New York, N.Y. 10007
Attn: Permits Administration Branch

* After closure of Landfill No. 2, sample collection and analysis of these monitoring points need be performed only on a semi-annual basis, and reports of analyses submitted accordingly.

The first submittal shall be accompanied by a manual of quality assurance procedures used in the sampling and analyses at the above-listed sites. These procedures employed by Cecos will be evaluated by EPA and shall be amended by Cecos as is deemed necessary by EPA.

This Condition E supersedes Condition No. 2 in EPA's August 18, 1978 approval for Landfill No. 2.

- F. A report must be submitted to EPA Region II on a semi-annual basis indicating the levels of organic priority pollutants contained in the samples obtained in accordance with Condition E, above. In all cases, the sampling and analytical procedures used shall be specified.
 - G. Testing for volatile chlorinated organics and organic priority pollutants must be performed as designated in EPA Manual "Sampling and Analysis Procedures for Screening of Industrial Effluents for Priority Pollutants" (copy in Appendix).
 - H. At a frequency not to exceed once per month, EPA Region II may provide Cecos with a quality assurance sample. This sample must be analyzed for the same parameters as the monitoring well samples specified in Condition E, above, and submitted with the monthly report.
 - I. A report shall be submitted yearly, beginning no later than July 1, 1981, which specifies the manner in which PCB's were handled at Cecos Landfill No. 3 during the previous calendar year. This report shall be in conformity with the requirements set out at 40 CFR §761.45(b).
 - J. At the time that Cecos Landfills Nos. 2 and/or 3 cease to be used for PCB disposal, a copy of the complete Facilities Inspection Report (as specified in the Cecos application) shall be submitted. This report shall contain at a minimum:
 - 1. A listing of the wastes accepted at each landfill and their disposal locations.
 - 2. Laboratory reports of the parameters and monitoring points listed in Conditions E and F, above.
- Similar Facilities Inspection Reports shall be compiled, for those items in 2, above, at six month intervals during the period after closure, and shall be submitted to EPA Region II.
- K. Cecos must allow any duly-designated representative of EPA to inspect Cecos Landfill No. 3, and all records and testing facilities; and to take such samples as may be necessary so as to monitor and enforce EPA's PCB Marking and Disposal Regulations (40 CFR §761.1 et. seq.). Any refusal by Cecos to allow such an inspection (as authorized by Section 11 of TSCA) shall be grounds for immediate termination of this approval.

L. Cecos must adhere to all design specifications and operating procedures stated in its application and supporting documents. (A complete list of these documents is listed in the appendix.) Deviations from these specifications or procedures are allowed only if my written authorization is provided.

Approval for the Cecos Landfill No. 3 may be revoked, modified or otherwise altered, at any time when I find that evidence indicates that a violation of the conditions of this approval letter, 40 CFR Part 761 or other applicable rules and regulations has occurred. Furthermore, receipt of evidence that a misrepresentation of any material fact has been made in the Cecos application, or that all relevant facts have not been disclosed, shall constitute sufficient cause for revocation or modification of this approval.

This approval will be reconsidered after regulations governing the permitting of hazardous waste management facilities are promulgated pursuant to Section 3005 of the Resource Conservation and Recovery Act, 42 U.S.C. §6925.

Sincerely yours,

Charles S. Warren
Regional Administrator

cc: Commissioner Robert Flacke
NYSDEC

Norman Nosenchuck, P.E.
Director, Division of Solid Waste Management
NYSDEC

John McMahon
NYSDEC, Region IX

Enclosure

Appendix

Application Submitted by CECOS and Supporting Documents

1. "Engineering Report and Draft Environmental Impact Statement for Newco Chemical Waste Systems, Inc.'s, Solid Waste Management Secure Landfill No. 3" - Revised Issue - 7/7/79.
2. "Hydrogeologic Investigation of Newco-Niagara Recycling site, Niagara Falls, N.Y.," July 25, 1978 prepared by Roy F. Weston, Environmental Consultant Designers.
3. Computations of the structural soundness of the liner and the entire internal leachate collection system as prepared by Gordon H. Soderholm, Consulting Engineer (August 24, 1979) and modified by Frank J. Miklitsch, Jr., P.E. (October 12, 1979).
4. "Spill Prevention Control and Countermeasure Plan for Newco Chemical Waste Systems, Inc." February 23, 1979.
5. Excerpted pages 17-68 of the "Newco Chemical Waste Systems, Inc., Water Treatment System", September 6, 1978, including plan sheets NCD-11 and NCD-66.
6. Test results from the ground water monitoring points, as performed by Rcra Reserach, Inc. between 1/78 and 6/79.
7. Tonawanda West Quadrangle - New York 7.5 minute series planimetric-second edition 1976 (1" - 2000').
8. Calspan Soil Analysis
Haselely clay (summit mall) - Report 9/25/79
On-site clay - Reports 11/21 and 12/4/78.
9. Pittsburgh Testing Laboratory Analysis
On-site slag material - Report 11/9/79.
10. Operational chart - 10/12/79.
11. Drawing Nos.

NCD - 2	with revision	#6
NCD - 13	with revision	#4
NCD - 43	with revision	#5
NCD - 44	with revision	#6
NCD - 53		
NCD - 55	with revision	#3
NCD - 107	with revision	#2
NCD - 108	with revision	#1
NCD - 120		
NCD - 126	with revision	#2

NCD - 127	with revision	#3
NCD - 128	with revision	#4
NCD - 129	with revision	#2
NCD - 130	with revision	#3
NCD - 131	with revision	#3
NCD - 132	with revision	#1
NCD - 133	with revision	#1
NCD - 138	with revision	#1
NCD - 214	with revision	#1
NCD - 215	with revision	#1
NCD - 216	with revision	#1
NCD - 217	with revision	#1
NCD - 218	with revision	#1
NCD - 227		
S-79383-01		

12. Response to EPA Region II Request of July 24, 1979, submitted by
CECOS on September 10, 1979.
ADDITIONAL INFORMATION REQUESTED FOR

SECURE LANDFILL NO. 3

NEWCO CHEMICAL WASTE SYSTEMS, INC.

A. General

1. The transmitted 1" = 2000' scale site map (Exhibit 8) indicates the location of known public and private drinking water supplies.
2. Hydrogeological information for the proposed landfill site is contained in the Hydrogeologic Investigation of the NEWCO-Niagara Recycling Site, Niagara Falls, NY as prepared by Weston Environmental Consultants - Designers (Exhibit 1). A copy of this report is transmitted with this submission.
3. Awaiting Calspan report (Exhibit 9)

B. Specific Additions to Sections of Application

1. Section 4.3.3.2 (Access Routes and Site Roads)

All roads within the site, with the exception of the bituminous concrete access road from the 56th Street gate to the scalehouse, are constructed of slag, clay and cinder mixture. Constructions of this type are highly susceptible to weather in regard to settlement and potholing. Grading and recrowning to provide smoothness and proper drainage will be accomplished as the need arises with special attention given to the periods of intense precipitation. Surface drainage on service roads to the landfill will be controlled to specific drainage channels. This will contribute to control of any spills or contamination in that flow in these channels could be blocked and any contaminants removed to secure areas.

2. Request Clarification of Requirements.
3. Section 4.7 (Operational and Post Operational Contingency Plans)
 - a.) The location of local fire departments and hospitals are indicated on 1" = 2000' scale site map included in this submission. (Exhibit 8)

- b) & c) In reply to the several questions on coordination and contingency planning, we are including in this submission a copy of the report "Spill Prevention Control and Countermeasure Plan for NEWCO CHEMICAL WASTE SYSTEMS, INC." (Exhibit 5) This report indicates the standing methods and procedures established to respond to any type of emergency. It also indicates training procedures and personnel responsibilities.
- d.) As per sections 8.2.5-4 and 8.2.10 of the application report, non-drained transformers will not be accepted for disposal at this site.
- e.) Flow in the drainage swale around the proposed landfill site is monitored monthly at surface water test points #11 and 12 as indicated on plan sheet NCD-44. Testing would be more frequent after a spill on the site. If the test results indicate contamination of the ditch flow, outfall from the ditch to the 47th Street interceptor sewer would be blocked in the area of test site # 11 and contaminated material would be pumped to the on-site treatment plant or to holding area for treatment. The on-site treatment plant is designed to reduce PCB concentrations to less than 0.001 mg/l before discharge. An excerpted portion of the engineering report for this facility is included indicating the processes and facilities available at the plant.

Normal surface water flow quantites entering the Niagara Falls sewer system is not greatly affected by site operations. The major change in flow is generated by discharge from the water treatment facility on the order of 160,000 to

200,000 gal/day. In discussions with the City of Niagara Falls it was determined that this discharge could be accepted by the sewage treatment plant. The design of the city plant is such that all types of contaminants generated would be treated.

The possibility of a sewer backup is remote, since outfall is into a main interceptor sewer to the city treatment plant. If this event should occur or if a non-flow condition develops in the ditch, contaminated material would be pumped into holding areas for future treatment when positive flow is restored.

- f.) If contaminants are located outside of designated secure areas, wash areas with provisions for collecting the runoff are provided on the site.
4. The final drawings on file indicate that sheet NCD-127 has been corrected to comply with the comments indicated in this section.
5. Backup calculations requested for verifying the structural soundness of the liner and the internal leachate collection system have been included in this transmission (Exhibit 2-4). The calculations were performed for landsite #2, however, the design of site #3 is similar and identical calculations apply.

In regards to subsidence, we feel that the expected subsidence will be a minimum based on the following points:

1. Liquids are not acceptable in the landfill beyond our permit limits.
2. Each four (4) foot lift supports highway loadings equivalent to fully loaded eighteen (18) wheel highway trailers. The heavy wheel loads further con-

11 OCT 1979

Mr. Louis E. Wagner
President, Newco Chemical
Waste Systems, Inc.
4626 Royal Avenue
Niagara Falls, New York 14303

Dear Mr. Wagner:

This letter responds to the application submitted by Newco Chemical Systems, Inc. (Newco) dated July 15, 1979 (with additional information submitted on August 24, 1979) requesting the approval of the Regional Administrator of the U.S. Environmental Protection Agency (EPA) for a modification of its existing disposal site at Packard Road, Niagara Falls, New York. Specifically, the requested modification would add four (4) feet to the height of Secure Landfill No. 2.

Secure Landfill No. 2 was originally approved by EPA as a site for the disposal of polychlorinated biphenyls (PCB's) on August 13, 1978. The original approval was granted pursuant to EPA regulations for the disposal and marking of PCB's, 40 CFR Part 761.

My staff has performed a comprehensive evaluation of the proposed modification. Based on the results of that evaluation, I have determined to approve of the request to increase the capacity of Secure Landfill No. 2. This approval is effective immediately and is contingent on Newco's compliance with all conditions of the original approval in addition to the following supplemental conditions:

1. Sampling of monitoring wells numbers 8, 10, 18 and 19 shall be performed on a monthly basis. This replaces the monitoring requirements specified in condition 2 of the original approval.
2. Water elevations in all of the monitoring wells shall be included in the report required by condition 2 of the original approval.

ZWA-SW:C.Massimono:ms:10/3/79

2WA-SW
Massimino

2WA-SH
Frisco

2WA-DD
Zelikson

2WA
Simon

2ENF-GEB
Friedman

2ENF
Morales

2RA
Dewling

10/3/79

-2-

If you have any questions regarding the conditions set forth in this letter, please have your staff contact either John Frisco or Catherine Massimino of my staff. They can be reached at (212) 264-0504.

At your service,

Richard T. Dewling, Ph.D.
Acting Regional Administrator

cc: Commissioner Robert F. Flacke

NYSDEC w/encs.

bcc: Virginia Williams

Office of Legislation (A-102)

In giving you some background information on this program, I have enclosed a copy of the Federal Register of Friday, April 23, 1976, which contains the separation guidelines for federal records.

Thank you for your time and attention.

Sincerely yours,

Richard T. Dewling

Regional Administrator

Enclosure



18 AUG 1978

Mr. Louis E. Wagner
President
Newco Chemical Waste Systems, Inc.
4626 Royal Avenue
Niagara Falls, New York 14303

Dear Mr. Wagner:

This letter responds to the application submitted by Newco Chemical Waste Systems, Inc. ("Newco") requesting approval by the Regional Administrator of the United States Environmental Protection Agency, Region II ("EPA") for the operation of a landfill to be utilized for the disposal of polychlorinated biphenyls ("PCB's") at Newco's Niagara, New York facility. EPA hereby grants the requested approval for a period of three years beginning on the date of this letter, based upon the findings and subject to the conditions and limitations enumerated below.

Regulations governing the disposal and marking of PCB's were promulgated on February 17, 1978 and published beginning at page 7150 of the Federal Register of that date (43 FR 7150). They are to be codified as Part 761 of Title 40 of the Code of Federal Regulations (40 CFR §761.1 et seq.). These regulations, promulgated pursuant to Section 6(e)(1) of the Toxic Substances Control Act, 15 U.S.C. §2601 et seq. (TSCA), were effective as of April 18, 1978, and provide that after that date disposal of PCB's is permitted only at facilities approved by the Regional Administrator of the EPA Region in which the facility is located.

Newco has requested, by its application dated April 24, 1978, that Secure Landfill No. 2 at its Packard Road site, Niagara, New York, be approved as a PCB disposal site. This landfill presently has a permit issued by the New York State Department of Environmental Conservation to accept and dispose of hazardous wastes.

A public comment period was provided by EPA from May 29, 1978 to June 28, 1978 on the Newco application. The public comments that have been received have been considered in my evaluation of the suitability of Secure Landfill No. 2 as a PCB disposal site. After review of the submitted application and the comments received, I have decided that Secure Landfill No. 2 merits approval for a three year period. This approval is based upon my evaluation that this landfill meets all of the requirements of 40 CFR §761.41 (Chemical Waste Landfills) with the following exceptions:

1. The landfill is not at least fifty feet from the nearest groundwater, and its orientation to the high groundwater table is not in strict compliance with the requirements of 40 CFR §761.41(b)(2). However, because the landfill is designed to collect internal leachate via collection sumps, and is equipped with a clay liner of sufficient thickness and low permeability, it is my assessment that the landfill's design will prevent leachate migration into ground or surface water.
2. The landfill operates with an internal leachate collection system rather than a leachate collection monitoring system installed beneath the landfill, as is specified in 40 CFR §761.41(b)(6). However, the internal leachate collection system, operated with a program that includes regular pumping out of excess leachate and monthly monitoring should adequately prevent leachate problems at the landfill.
3. The fencing installed around the landfill is not in strict compliance with the requirement of 40 CFR §761.41(b)(8), but it appears to be capable of deterring unauthorized entry onto the site, and is an acceptable substitute for the regulatory provision.

I have determined that the above-cited waivers will not present an unreasonable risk of injury to health or the environment from PCB's.

My approval of the Newco Landfill is contingent on the following conditions being met:


1. Within thirty days of your receipt of this approval, warning signs must be posted at regular intervals along the landfill perimeter which at a minimum shall warn that hazardous chemicals are present and that unauthorized entry is prohibited.
2. A report must be submitted to the EPA Region II office on a monthly basis containing the results of a monthly analysis of monitoring wells numbers 20, 19 and 8; surface sampling points numbers 11 and 12; and of the internal leachate for at least the following parameters:
 - a. PCB's,
 - b. pH,
 - c. specific conductance, and
 - d. chlorinated organics

The height of the internal leachate in the applicable standpipes must also be provided. In all cases, the sampling and analytical procedures used shall be specified.

+

This approval will be reconsidered after regulations governing the permitting of hazardous waste management facilities are promulgated pursuant to Section 3005 of the resource Conservation and Recovery Act, 42 U.S.C. 56925.

At your service,



Eckardt C. Beck
Regional Administrator